

Also, petition of citizens of Cranesville and Blaine, Me., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. RUPPERT: Petition of Municipal Art Society of Baltimore, for Senate bill 5694 and H. R. 17630, for national art advisory board—to the Committee on the Library.

Also, petition of Chicago Federation of Labor, for anti-injunction law—to the Committee on Labor.

By Mr. RYAN: Petition of Municipal Art Society of Baltimore, for H. R. 17630, for national advisory board of art experts—to the Committee on the Library.

Also, petition of Chicago Federation of Labor, for the anti-injunction bill (H. R. 18752)—to the Committee on the Judiciary.

By Mr. SMITH of Maryland: Paper to accompany bill for relief of Edwin D. Bates—to the Committee on Invalid Pensions.

By Mr. SHARTEL: Resolution of members of the working classes of Joplin, Mo., relative to unlawful procedure of governors of Idaho and Colorado against Charles H. Moyer, president; William D. Haywood, secretary, and George A. Pettibone, ex-member of executive board of Western Federation of Miners—to the Committee on Labor.

By Mr. SPARKMAN: Petition of Knights of Columbus, State Council, for bill H. R. 13304, for memorial for Christopher Columbus—to the Committee on the Library.

By Mr. SPIGHT: Paper to accompany bill for relief of heirs of Joseph A. Brunson, deceased—to the Committee on War Claims.

By Mr. STERLING: Petition of N. E. Stevens, P. E. Low, and William G. Dustin, for amendment to post-office laws and regulations to legalize all paid newspaper subscriptions—to the Committee on the Post-Office and Post-Roads.

By Mr. STEVENS of Minnesota: Paper to accompany bill for relief of Francis A. Russell—to the Committee on Military Affairs.

By Mr. SULLIVAN of New York: Petition of Municipal Art Society of Baltimore, for bills S. 5694 and H. R. 17630, for an art advisory board—to the Committee on the Library.

By Mr. SULZER: Petition of Generals Raum, Crawford, and Birney, for S. 2162, relative to volunteer retired list—to the Committee on Military Affairs.

Also, petition of Chicago Federation of Labor, for the Pearre bill (H. R. 18752), relative to injunctions—to the Committee on the Judiciary.

Also, petition of Inter-Municipal Research Company, for bills H. R. 4462 and S. 2962, relative to labor conditions in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of Executive Committee of National Business League, for a gradual enlargement of the Navy—to the Committee on Naval Affairs.

Also, petition of Municipal Art Society of Baltimore, for bills S. 5694 and H. R. 17630, for advisory board of art experts—to the Committee on the Library.

By Mr. WEEMS: Petition of First Presbyterian Church of Barnesville, Ohio, for constitutional amendment abolishing polygamy—to the Committee on the Judiciary.

By Mr. WILEY of Alabama: Petition of J. G. Graves, against tariff on linotype machines—to the Committee on Ways and Means.

SENATE.

FRIDAY, June 1, 1906.

Prayer by Rev. ULYSSES G. B. PIERCE, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CULBERSON, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 16953) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1907, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. OVERSTREET, Mr. GARDNER of New Jersey, and Mr. MOON of Tennessee managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 19264) making appropriation for the diplomatic and consular service for the fiscal year ending June 30, 1907; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented petitions of sundry citizens of Erie, Camp Point, Dallas City, Villa Grove, Johnson City, Mount Carmel, Ramsey, Chicago, Kirkwood, Princeton, Kilmundy, Vienna, Eureka, Dwight, Bridgeport, Bone Gap, Stockton, Monticello, Paxton, Martinsville, Baylis (Pike County), Alto Pass, Fisher, Mount Vernon, Athens, Mansfield, Peoria, Manteno, Marshall, and Wenona, all in the State of Illinois, praying for the adoption of a certain amendment to the postal laws relative to newspaper subscriptions; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. TELLER presented a petition of Midland Division, No. 385, Brotherhood of Locomotive Engineers, of Colorado City, Colo., praying for the passage of the so-called "employers' liability bill;" which was ordered to lie on the table.

He also presented a petition of the Woman's Club of Boulder, Colo., praying for the enactment of legislation to regulate the employment of child labor in the District of Columbia; which was referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 154, American Federation of Musicians, of Colorado Springs, Colo., and a petition of Local Union No. 20, American Federation of Musicians, of Denver, Colo., praying for the enactment of legislation to prohibit Government musicians from competing with civilian musicians; which were referred to the Committee on Military Affairs.

He also presented petitions of the Nineteenth Century Club of Pueblo; of the Young Ladies' National Mutual Improvement Association of San Luis Valley, of Manassa; of the Pierian Club, of Trinidad; of the Columbian Club, of Fort Collins; of the Tuesday Evening Club, of Salida; of the Improvement Club, of Windsor, and of the Federation of Women's Clubs of Colorado Springs, all in the State of Colorado, praying that an appropriation be made for a scientific investigation into the industrial conditions of women in the United States; which were referred to the Committee on Education and Labor.

He also presented a petition of Local Division, Brotherhood of Railroad Trainmen, of Salida, Colo., and a petition of Columbian Council, No. 5, Daughters of Liberty, of Denver, Colo., praying for the enactment of legislation to restrict immigration; which were ordered to lie on the table.

He also presented a memorial of Local Division No. 19, Amalgamated Association of Street and Electric Railway Employees of America, of Colorado Springs, Colo., remonstrating against the repeal of the present Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented a petition of sundry citizens of Denver, Colo., praying for an investigation of the existing conditions in the Kongo Free State; which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Denver Credit Men's Association, of Denver, Colo., remonstrating against the repeal of the present national bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented a petition of John S. Stewart Camp, No. 1, Army of the Philippines, of Denver, Colo., and a petition of Irving Hale Camp, No. 3, Army of the Philippines, of Colorado, praying for the enactment of legislation granting special medals to all officers and enlisted men who served beyond their legal enlistment to suppress the Philippine insurrection; which were referred to the Committee on Military Affairs.

He also presented a petition of the Chamber of Commerce of Colorado Springs, Colo., praying for the enactment of legislation authorizing the Secretary of Agriculture to investigate systems of farm management, making appropriation therefor, and for other purposes; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Business Men's Association of Pueblo, Colo., remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

Mr. BURKETT presented petitions of 8,267 women of the State of Nebraska, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BRANDEGEE presented petitions of 5,316 women of the State of Connecticut, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BRANDEGEE. I present a petition of the Chamber of Commerce of New Haven, Conn., praying for the ratification of the pending treaty with Santo Domingo. I ask that it be re-

ferred to the Committee on Foreign Relations, and printed in the RECORD.

There being no objection, the petition was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

THE CHAMBER OF COMMERCE OF NEW HAVEN.

At a stated meeting of the Chamber of Commerce of New Haven, held on Monday evening, May 28, 1906, upon the recommendation of the committee on legislation the following preambles and resolutions were unanimously adopted:

"Whereas for many years the political conditions in Santo Domingo have been such as to render unstable commercial enterprises there, and the customs department of the Republic has been so conducted and mismanaged that the business interests of this country can not safely either export or import goods because thereof; and

"Whereas on account of the debts and obligations owing to foreign countries by the Dominican Government and its citizens there is danger of still further disturbances to our commercial relations, not only with this, but with those countries to whom these debts and obligations are owing; and

"Whereas there is pending before the Senate of the United States a treaty which is designed to place upon a more satisfactory basis the collection of the tariffs and revenues of the Dominican Republic and the settlement and adjustment of its affairs with all its creditors; and

"Whereas the ratification of this treaty makes for the welfare of this country and of the Dominican Republic as well, and for the betterment of trade conditions with it: Now, therefore, be it

"Resolved by the Chamber of Commerce of New Haven, That this body hereby approves the ratification of the treaty pending in the Senate of the United States between this country and the Dominican Republic providing for the collection and disbursement by the United States of the custom revenues of the Republic; and it is further

"Resolved, That the secretary of this chamber be, and he is hereby, instructed to send copies of these preambles and resolutions to the Senators of this State in Congress, with the request that they favor the ratification of the pending treaty."

In witness whereof we have hereunto set our hands and affixed the seal of the chamber this 31st day of May, 1896.

[SEAL.]

ROLLIN S. WOODRUFF, President.
JOHN CURRIER GALLAGHER, Secretary.

Mr. DANIEL presented petitions of 3,254 women of the State of Virginia, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

JAMES T. WELLMAN.

Mr. LODGE, from the Committee on Military Affairs, to whom was referred the bill (S. 5373) to remove the charge of desertion from the military record of James T. Wellman, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

On request of Mr. LODGE, and by unanimous consent, the report was ordered to be printed in the RECORD, as follows:

ADVERSE REPORT TO ACCOMPANY BILL S. 5373.

The Committee on Military Affairs, which has had under careful consideration the bill (S. 5373) to remove the charge of desertion from the military record of James T. Wellman, has had the same under careful consideration, and hereby reports it back to the Senate adversely, recommending its indefinite postponement.

James T. Wellman appears to have enlisted in the Regular Army in September, 1864, and deserted in April, 1865. This is wholly different from enlistment in a volunteer regiment. Many young men who were away on furlough or on special details when the war ended did not appreciate the importance of rejoining their regiments and being regularly mustered out. Such men were, therefore, borne on the rolls as deserters; but although technically such, in many cases they were morally innocent. In cases of this sort your committee frequently reports favorably bills to correct the record. But when a man has enlisted in the Regular Army he owes the Government service whether in war or peace, and to overlook the desertion of a regular soldier would establish a very dangerous precedent and open the door to endless applications for correction of Regular Army records, which would be most detrimental to the service.

For the above reasons your committee feels that the bill (S. 5373) should be indefinitely postponed.

WILLIAM R. VAN NOTE.

Mr. LODGE, from the Committee on Military Affairs, to whom was referred the bill (S. 421) to correct the military record of William R. Van Note, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

On request of Mr. LODGE, and by unanimous consent, the report was ordered to be printed in the RECORD, as follows:

ADVERSE REPORT TO ACCOMPANY BILL S. 421.

William R. Van Note is shown by the record to have been mustered into service September 21, 1861, in Company D, Twenty-ninth Indiana Infantry Volunteers, and the muster rolls of October 31, 1862, report him absent a paroled prisoner of war, of which the records of prisoners of war furnish no information. According to his own story, he was taken prisoner at Lawrenceburg, Ky., was paroled, and went home ill. He never reported himself in any way to his regiment or to the authorities at Washington, but under the name of Riley Higginbotham, two years after his desertion, he was drafted in Michigan, examined, and held to service on October 4, 1864. This shows that his health, which he alleges as the reason for not rejoining his Indiana regiment, had been reestablished. In the Michigan regiment to which he was drafted, he served until the end of the war, and was then mustered out with an honorable discharge. The facts disclosed by this summary do not seem to your committee to warrant a correction by law of the record of William R. Van Note.

For the above reasons your committee feels that the bill (S. 421) should be indefinitely postponed.

UMATILLA INDIAN RESERVATION LANDS IN OREGON.

Mr. FULTON. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 6300) providing when patents shall issue to the purchasers of certain lands in the State of Oregon, to report it favorably without amendment. It is a short bill and local in its character. I ask for its immediate consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that all persons who have heretofore purchased any of the lands of the Umatilla Indian Reservation in the State of Oregon and have made or shall make full and final payment therefor in conformity with the acts of Congress of March 3, 1855, and of July 1, 1902, respecting the sale of such lands, shall be entitled to receive patent therefor upon submitting satisfactory proof to the Secretary of the Interior that the untimbered lands so purchased are not susceptible of cultivation or residence, and are exclusively grazing lands, incapable of any profitable use other than for grazing purposes.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN G. FONDA.

Mr. CULLOM. I ask a favor which I have not asked before during this session. I should like to call up the bill (S. 6240) granting an increase of pension to John G. Fonda. The beneficiary is 85 or 86 years old, and is absolutely without funds for a living.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, in line 8, before the word "and," to insert "and brevet brigadier-general United States Volunteers;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John G. Fonda, late colonel One hundred and eighteenth Regiment Illinois Volunteer Infantry, and brevet brigadier-general United States Volunteers, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CANAL BETWEEN PUGET SOUND AND LAKE WASHINGTON.

Mr. PILES. I am directed by the Committee on Commerce, to whom was referred the bill (S. 6329) authorizing James A. Moore or his assigns to construct a canal along the Government right of way connecting the waters of Puget Sound with Lake Washington, to report it favorably with amendments, and I submit a report thereon. I ask for the present consideration of the bill.

The Secretary read the bill.

Mr. SPOONER. I should like to have the first three or four lines read again.

The Secretary read as requested.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. BACON. I should like to inquire of the Senator in charge of the bill whether this canal is to be constructed by a company or by an individual.

Mr. PILES. The bill provides for its construction by James A. Moore, a private individual, or his assigns. It is a matter where the county of King, in which the canal is to be constructed, will donate about \$500,000 to the Government. The bill gives authority to construct a canal across the right of way, which the people of King County presented to the General Government some years ago.

Mr. BACON. As I understand the purport of the bill, it is simply to gain the consent of the Federal Government, so far as that consent is necessary as to navigable waters.

Mr. PILES. To construct a canal from Lake Washington to a connection with Lake Union in the northern part of the city of Seattle, and thence through Salmon Bay to a connection with the waters of Puget Sound, a distance of about 6 miles all told, land and water.

The VICE-PRESIDENT. The amendments reported by the Committee on Commerce will be stated in their order.

The first amendment was, on page 1, line 5, after the words "ship canal," to insert:

Not less than 25 feet in depth and with a bottom width of not less than 60 feet.

The amendment was agreed to.

The next amendment was, on page 1, line 5, after the words "timber lock," to insert:

Of not less than 600 feet in length and 72 feet in width.

The amendment was agreed to.

The next amendment was, on page 1, line 11, after the words "United States," to insert:

Which shall include provision for the discharge of waters from Lakes Union and Washington and afford adequate protection against claims for damages for changing the level of Lake Washington.

The amendment was agreed to.

The next amendment was, on page 2, line 20, after the word "jurisdiction," to insert:

And the said Secretary of War may compel the execution of a sufficient bond by the said James A. Moore, or his assigns, insuring compliance with the provisions and conditions imposed.

The amendment was agreed to.

The next amendment was, on page 2, line 24, after the words "United States," to insert:

But the said James A. Moore, or his assigns, shall operate and maintain in suitable condition the said canal and lock after completion for a period of three years to the satisfaction of said Secretary of War and Chief of Engineers of the United States, free of cost to the United States, and from charges of any kind whatever, and free from the payment of all tolls.

The amendment was agreed to.

Mr. BACON. I have not had an opportunity to examine the bill, but, as I gathered from the reading, there is no incorporation by the bill or the grant of any corporate power; it is simply permission to use the waters where such permission is required on account of those waters being navigable. Am I correct?

Mr. PILES. That is correct. The bill simply gives the consent of the United States to the construction of a canal along the right of way which the people of that county themselves gave to the United States.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS J. MORRIS.

Mr. FORAKER, from the Committee on Military Affairs, to whom was referred the bill (S. 3521) to correct the military record of Thomas J. Morris, reported it with an amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. SCOTT introduced the following bills; which were severally read twice by their title, and referred to the Committee on Claims:

A bill (S. 6340) for the relief of the estate of John Snyder, deceased; and

A bill (S. 6341) for the relief of Sampson Snyder.

Mr. NELSON introduced a bill (S. 6342) granting an increase of pension to William Birney and twenty-one other officers of the Volunteer Army of the civil war; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 6343) for the relief of the estate of Henry W. Miller, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. FULTON introduced a bill (S. 6344) to remove the charge of desertion from the military record of C. F. Bulfinch; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. MORGAN introduced a bill (S. 6345) for the relief of the trustees of the Methodist Episcopal Church South, of Huntsville, Ala.; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT (for Mr. DEPEW) introduced a bill (S. 6346) granting a pension to Sarah J. White; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 6347) granting an increase of pension to Edward R. Cunningham; which was read twice by its title, and referred to the Committee on Pensions.

Mr. OVERMAN introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 6348) granting a pension to Timothy Edwards;

A bill (S. 6349) granting a pension to Gaston H. Wilder;

A bill (S. 6350) granting an increase of pension to Silas G. Clark; and

A bill (S. 6351) granting an increase of pension to Andrew J. West.

Mr. OVERMAN introduced a bill (S. 6352) for the relief of Orrin R. Smith; which was read twice by its title, and referred to the Committee on Claims.

Mr. TALIAFERRO introduced a bill (S. 6353) granting an increase of pension to Dolores S. Foster; which was read twice

by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CLARK of Montana introduced a bill (S. 6354) to survey and allot the lands embraced within the limits of the Blackfeet Indian Reservation, in the State of Montana, and to open the surplus lands to settlement; which was read twice by its title, and referred to the Committee on Indian Affairs.

WISCONSIN FOREST RESERVE.

Mr. LA FOLLETTE submitted an amendment intended to be proposed by him to the bill (S. 4284) granting to the State of Wisconsin the residue of unappropriated and unreserved public lands within said State as an addition to the State forest reserve of said State; which was referred to the Committee on Public Lands, and ordered to be printed.

BUILDINGS FOR EMBASSIES AND LEGATIONS.

Mr. FORAKER submitted an amendment proposing to appropriate \$1,000,000 for the acquisition in foreign capitals of proper sites and buildings which shall be used by the embassies and legations of the United States, etc., intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

GAZETTEER OF THE PHILIPPINES.

Mr. LODGE submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound in the form of the edition of 1902 (S. Doc. 280, 57th Cong., 1st sess.) 5,000 copies of the Gazetteer of the Philippine Islands, revised to January 1, 1906, with suitable maps and charts, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, 1,000 copies for the use of the War Department, and 1,000 copies for the use of the Philippine Commission.

REPORT ON ALASKAN SCHOOLS, ETC.

Mr. TELLER. I submit a resolution of inquiry. I ask to have it read and considered.

The resolution was read, as follows:

Resolved, That the Secretary of the Interior be, and hereby is, directed, if not incompatible with the public interest, to furnish the Senate with a copy of any communications received from the Commissioner of Education commenting upon, or in reply to, the report of the investigation made in 1905 by Special Agent Frank C. Churchill, regarding the condition of educational and school service and the management of reindeer service in the district of Alaska, the same to be attached to and printed with the report of Special Agent Frank C. Churchill, which was called for by the Senate in session May 31, 1906.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. GALLINGER. Yesterday I offered a resolution substantially the same, which was agreed to, asking the President to communicate that report to the Senate. I think, if the Senator will look at the RECORD, he will see that it covers the point.

Mr. TELLER. The Senator from New Hampshire introduced a resolution calling for Mr. Churchill's report, and I am asking for the reply of the Commissioner of Education to it.

Mr. GALLINGER. Oh, I beg pardon.

Mr. TELLER. So as to have the two together.

Mr. GALLINGER. I think that is very proper. I thought it was the same report.

The resolution was considered by unanimous consent, and agreed to.

APPEALS IN CRIMINAL PROSECUTIONS.

Mr. NELSON. I ask unanimous consent for the present consideration of the bill (H. R. 15434) to regulate appeals in criminal prosecutions.

The bill had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert a substitute, which was read.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. TELLER. That is a class of bills that I do not think should be passed in the morning hour.

The VICE-PRESIDENT. Objection is made, and the bill will lie over.

PUBLIC LAND LEASES IN NEW MEXICO.

Mr. HANSBROUGH. I am directed by the Committee on Public Lands, to whom was referred the bill (H. R. 18600) to amend section 10 of the act of Congress approved June 21, 1898, to make certain grants of land to the Territory of New Mexico, and for other purposes, to report it favorably without amendment. This is a House bill, and I ask for its present consideration.

Mr. CULBERSON. I should like to ask if it is the unanimous report of the Committee on Public Lands?

Mr. HANSBROUGH. I will say to the Senator that this bill is the existing law with some slight exceptions. Under exist-

ing law the Secretary of the Interior is authorized to lease lands in New Mexico in areas not exceeding 640 acres. It is found that owing to the character of the land there the Department can not make any leases; that nobody wants them. It is proposed by the bill to allow the Secretary, in his discretion, to lease them in larger areas than 640 acres. That is all there is to the bill.

Mr. CULBERSON. Is it a unanimous report by the committee?

Mr. HANSBROUGH. It is a unanimous report by the committee.

Mr. SPOONER. I should like to inquire if there is no limit in the bill upon the area which the Secretary of the Interior may lease?

Mr. HANSBROUGH. No; there is no limit. It is supposed that the Secretary—

Mr. SPOONER. I am not in favor of giving unlimited power in that way.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. SPOONER. I think it had better go over, that we may look at it.

The VICE-PRESIDENT. Under objection, the bill will lie over. It will be placed on the Calendar.

POST-OFFICE APPROPRIATION BILL.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 16953) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1907, and for other purposes, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. PENROSE. I move that the Senate insist upon its amendments, that the request for a conference by the House be granted, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice-President appointed Mr. PENROSE, Mr. DOLLIVER, and Mr. CLAY as the conferees on the part of the Senate.

HOUSE BILL REFERRED.

H. R. 19264. An act making appropriation for the diplomatic and consular service for the fiscal year ending June 30, 1907, was read twice by its title, and referred to the Committee on Appropriations.

PROPOSED ISLE OF PINES INVESTIGATION.

Mr. MORGAN. I wish to call up the resolution submitted by me on a former day, which went over by consent, and is on the table, subject to call.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution submitted by Mr. MORGAN March 22, 1906, as follows:

Resolved, That a committee of seven Senators be appointed by the Chair, with instructions to make diligent and careful examination into the condition of the people of the Isle of Pines before and since the enactment of the law known as the "Platt amendment" to the Army appropriation bill, approved the 2d day of March, 1901, and up to the time of the execution of this order and their report thereon.

Such inquiry shall include the form of the so-called "government de facto" in said island, its officers, and by whom appointed, and the manner in which such government has been conducted by those who claim or have claimed to be in authority there since the Army of the United States was withdrawn from the island of Cuba and the government of that island was turned over to the Congress and people of Cuba.

The committee shall inquire and report whether under such government in the Isle of Pines any official abuses or oppressions have occurred with reference to the people of that island affecting their liberties, their persons, or their schools, their churches, their sepulchres, their taxation, their employment or vocation, their property of any description, the registry of their land titles or wills or other conveyances, their intercourse and trade on the island, or with other ports or places, or with shipping engaged in the trade of the island.

They will inquire and report in respect of any alleged judicial proceedings, civil or criminal, conducted or entertained by any judge, magistrate, or alcalde acting under the laws of Cuba, against any of the inhabitants of the Isle of Pines, resulting in their imprisonment or amercement in fines or forfeitures, and of the places at which such trials were had, and as to the removal of such defendants, by force or compulsion, to any place in the island of Cuba to answer such accusations or prosecutions. And also whether the alleged judicial officers so employed in such proceedings were appointed by the Government of Cuba or of any department thereof.

Said committee will further inquire and report as to the number of American citizens that were residing in the Isle of Pines at the time when the Government of Cuba was turned over to the Congress and people of the Republic of Cuba and before that time, and when the immigration of such citizens into said island first began.

They will further ascertain and report as to the progress of such immigration, and the classes of people who settled in the island as seekers and builders of permanent homes or places of residence, and the number of such citizens who now reside in the Isle of Pines as permanent settlers; and also what increase or decrease of population and of what citizenship, respectively, has taken place in that island since the evacuation of Cuba by the Army of the United States.

The committee will also examine into the condition of the island as

to agriculture, fruit growing, and the extent to which the immigrants from the United States are landowners and cultivators, and whether their crops, orchards, and farm productions, such as cattle, hogs, and poultry, are becoming productive and prosperous.

They will also give descriptions of the topography of the island, its waters and water courses, and its coasts, bays, inlets, and harbors, with reference to navigation; and its roads and bridges and by whom constructed and paid for; its forests and their value; the healthfulness of the island, and the character and their value; the citizenship of the United States who reside there, and generally, any facts that will inform the Senate as to all material facts concerning the duty of the Government toward the safeguarding, protection, and regulation and control of its citizens who inhabit the Isle of Pines.

2. Said committee is empowered to visit the Isle of Pines, or to designate a subcommittee to visit the same, and to send for persons and papers. Oaths to witnesses may be administered by any member of the committee or subcommittee.

3. The committee is empowered to appoint a secretary, a stenographer, a typewriter, and a sergeant-at-arms, and to pay them their compensation at the rate prescribed by law.

The necessary allowances for travel and board of the committee and its officers and for attendance and the mileage and attendance of witnesses shall be paid on proper vouchers approved by the chairman of the committee, out of the contingent fund of the Senate.

The committee may sit during the sessions of the Senate or during its vacations and at any place in the United States or in the Isle of Pines.

Mr. LA FOLLETTE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Alabama yield to the Senator from Wisconsin?

Mr. LA FOLLETTE. Will the Senator from Alabama yield that I may call up the bill which was not finished yesterday?

Mr. MORGAN. How long will that bill take?

Mr. LA FOLLETTE. I can not say, but I do not think it will take very long. It was under consideration for some time yesterday.

Mr. MORGAN. Unless some definite time could be fixed, I can not consent. If a definite time is fixed that the bill will occupy, then I would know whether I would have the opportunity to present this resolution before the Senate to-day?

Mr. LODGE. What is the status of the resolution?

The VICE-PRESIDENT. It is noted upon the record that it went over on a former day subject to the call of the Senator from Alabama.

Mr. HALE. It evidently ought to be referred to the Committee on Foreign Relations. I make that motion.

Mr. MORGAN. The motion is to refer it.

Mr. HALE. To refer it to the Committee on Foreign Relations. I do not think a matter of this magnitude, with a treaty pending, should be passed upon here without the action of the committee.

Mr. MORGAN. I am very glad the motion has been made, as it brings the subject directly in review before the Senate.

Mr. President, I propose now to proceed with my observations upon the resolution.

I offered the resolution in the Senate at the request of a number of people in the United States, and also in the Isle of Pines, which I think is a part of the United States. I have many of their letters here. Some of them I have not preserved.

There has been and is very great solicitude on the part of the people concerned in the Isle of Pines and on the part of many thousands of people who are not concerned in the Isle of Pines to have some rational, honest, just settlement of the question that has taken hold of the public mind in a very earnest way that can not be suppressed.

The matter has been before the Senate in the form of treaty negotiations for three years. The Senate has been very reluctant even to consider the question, it appears. I desire now to bring to the attention of the Senate reasons why we should have what I will call official and authentic statements in regard to the situation of the people in that island, and of the laws that are obtaining there, and also of certain alleged abuses of those laws on the part of the Government of Cuba.

It may be proper for me to premise by saying that the elder members of this body who have been here for several years and who were here during the struggle for the independence of Cuba know that there is no man in this body who was more devoutly concerned in the efforts to bring to the Cuban people the relief that they claimed against the Spanish Government than I, and that I have always been a friend of that island and of its people, and am to-day.

But, Mr. President, above the people of Cuba or any other people in the world I am the friend of American citizens. In this matter there is presented a controversy between the Government of Cuba on one side and the people of the United States on another side which requires to be settled in some friendly and proper way. Otherwise it will aggravate itself. I do not mean that it will be aggravated. It will aggravate itself into a condition that will bring very serious consequences upon both countries—Cuba and the United States.

I think that I may properly say that the present Administration of the Government of the United States is antagonistic to

this claim of the people of the United States; that instead of throwing its embracing and protecting arms around these people it antagonizes them in a very severe and in a very unjust and unlawful way. That is my view of the situation at present, and I think I shall be able to demonstrate it as being true.

Now, that treaty is before the Senate in executive session. I do not propose to enter into any discussion of the merits or terms of that treaty, yet it has been published, and the world at large has taken the liberty of discussing it in the most unlimited way.

That treaty, Mr. President, has been the first occasion since I have been in the Senate of the United States when the diplomatic department of the Government has arrayed itself directly and distinctly against a very large and a very respectable body of American citizens. This is a lamentable condition, for which I am sure I am in no way in the world responsible. I have tried in every way I knew how to bring a reconciliation between the Government of the United States and its own people upon this subject, and I am here to-day for that purpose. I am not here for the purpose of launching any material or fuel for political campaigning. If I felt that the opportunity was very great, as it probably may be, and is to take that course in this controversy, I would hesitate to do it, because these are questions that belong more properly to the jurisdiction of the Senate of the United States than of any other body in the Government. The Senate has the exclusive jurisdiction of considering and ratifying treaties, and it is also a representative political body of very great importance.

I have been among the Senators on this side of the Chamber and on that side of the Chamber for days and days together, petitioning, arguing, and trying to persuade them that this resolution be allowed to pass without discussion. It has recommended itself so thoroughly to the judgment, wise discretion, and forecast of the Senate that I can not doubt that it will pass this body. Yet I have not attempted to ascertain by a count or anything like it whether it has the strength to pass this body or not.

Many of the gentlemen on the other side of the Chamber have agreed with me that the resolution ought to pass this body without discussion, that the facts which lie behind it and support it ought not to be brought through discussion to the sharp attention of the people of the United States. Others, however, for reasons that, of course, are best known to themselves, probably reasons derived from suggestions from the Administration, demand that there shall be no such resolution passed; that there shall be no inquiry into the existing conditions in the Isle of Pines; that these people whose petitions have come here shall not be heard; that they shall be dealt with as if they were outlaws and vagabonds without anybody to care for them or to protect them in the United States Congress.

I think if gentlemen find themselves driven upon that line of discussion they will become satisfied before we get through with the fact that, from the presentation of the case as it appears, they have made a wide mistake in joining issue with those people upon the conditions existing in the Isle of Pines and in Cuba.

I am here now, Mr. President, to present this resolution as a peacemaker, a measure of reconciliation, a measure that will lead to the adjustment of very severely antagonized and disputed rights claimed by the people of the United States, and what I conceive to be very unjust, very arrogant, very unlawful pretensions on the part of the Government of Cuba, that friend of mine for whom every pulsation of my heart beats in kindness. But I can not afford to stand here and see the little remnant of Spanish arrogance that remains in Cuba dictate wrong and injustice and imprisonment in the penitentiary, and the like of that, contrary to the laws of the United States and contrary to the laws and the constitution of Cuba, upon honest, just, and law-abiding men. I can not afford to do that. If those people insist upon pushing matters to extremities against just and upright people of the United States, they will find themselves mistaken.

The first paper to which I will call attention is a list of between 1,900 and 2,000 people in the Isle of Pines, which has been compiled by a very respectable committee of that island on personal examination from house to house, setting forth a census of those people in the Isle of Pines. This census, I think, contains over 1,900 names, and yet this is only a part of it. Another part of it was mailed to me from the Isle of Pines, as I am well assured, and robbed out of the mail. Robberies of mails between here and Cuba are very frequent. This census list gives the names of all of the different landowners and settlers in the Isle of Pines. There are forty-one pages of the paper that I hold in my hand. The name of each person is given—for instance, "William Flint, Spencer, Iowa; number

of family, 7; average of land owned, 300 acres; acres improved, 40," and so on. The list goes through with every American citizen in the Isle of Pines.

It was a troublesome matter to get up. It was expensive. It has been honestly taken by three gentlemen as respectable as sit in this Chamber, for that matter, so far as the question of respectability is concerned; but it was interrupted by arrests by Cuban officeholders in the Isle of Pines for undertaking to take this census. The taking of this list has been considered a very grave offense against the Government and the people of Cuba, and members of the committee have been arrested and carried before officers for daring to go around and take a list of their own people for the information of the Congress and of the people of the United States.

Mr. President, I will not make the motion now, but at the proper time I will ask that this list and the one that has been robbed out of the mails, if I can get hold of it, may be printed for the use of the Senate and for the use of any committee that may be sent down there to examine into this subject to ascertain whether it is true. If it is true, it is a very important document. It speaks of the actual facts in regard to this entire transaction in a very thorough and honest way. These facts themselves, if there were no other facts in this case, would show that there are there in the Isle of Pines, as estimated, between 1,800 and 2,000 of the citizens of the United States, who have gone to the Isle of Pines in good faith, bought property, and in every respect have acted without any thought of covin or fraud or any matter of a dishonest kind, whose good faith is as perfectly sincere as that of any settler who ever went from the East out to the broad plains of the West and took up his homestead. These people are there to-day. At the time when the treaty was negotiated, three years and more ago, there were not more than 400 or 500 of them there, and since that time they have built up that country until there are, I suppose, at least 1,800 of them, and perhaps 2,000. I can not get the figures accurately, because I can not get hold of the papers that have miscarried and have failed to reach me.

Mr. President, I want to call the attention of the Senate to this important matter, as I conceive. In passing upon this treaty, under which we propose to sell the Island of Pines to Cuba for an expressed but undefined consideration, ought not that question to be considered at this day and this hour in the light of facts as they now exist, and not in the light of facts as they may have existed on the day of the adoption of the Platt amendment or on the day of the negotiations of this treaty which is said to be in pursuance of that amendment? Can the Senate of the United States, or the Congress of the United States, afford to take up this subject and treat it as if those people were not there, as if no new rights had supervened there? Are we not bound, in the very nature of things, and bound by the obligation of honorable duty to our own people, to send a committee of this body down there to ascertain what are the present conditions and whether or not it is just, right, politic, and wise that the Island of Pines should be sold by the Government of the United States, as is proposed to be done by this treaty, to the Government of Cuba? I wish now to draw attention to and to emphasize these two propositions. First of all, this is a treaty that three years ago proposed to sell the Island of Pines to the Government of Cuba—there can be no doubt of that, because the second article of the treaty says so—for a consideration unexpressed or undefined in the treaty, merely hinted at and alluded to probably for the purpose of justifying the conscience or promoting the popularity of the Administration; I do not know which. I will not take up the question as to what that consideration is or probably may be, for it is a supposititious matter, and we have got to guess at it, except that it has some connection with the purchase of a coaling station on the Island of Cuba, at Guantanamo; but there is to be a sale on that consideration of the Island of Pines to the Cuban Government in that treaty.

Why are we selling it unless we own it? Has not an American citizen the right to believe that he will be protected in all the rights acquired before the sale is made and while the negotiations may be going on? Has he not a right to believe, reading the face of that treaty, that the Government of the United States owns the Isle of Pines, and that the flag is at home over that island, because the Government proposes to sell it to Cuba? Take that one single fact and look at it alone, by itself, in this mass of facts that are presented here, and let this question of the sending of this committee down there be determined by that fact, and the resolution will be adopted. The Government of the United States three years ago offered to sell this island to Cuba for a consideration. That matter has been held up in the Senate of the United States, because, no doubt, the Senate could not get its consent to cooperate with the diplo-

matic Government in making that sale. The Senate has never been called upon to say whether Cuba owned the island or the United States owned it, for the reason that the diplomatic power of the Government of the United States in the treaty itself has announced the fact that the Government of the United States owns it and proposes to sell it.

The people who have gone there, those who were there before this thing took place and those who have gone there since this thing took place, have a perfect right to take the same attitude on the subject which the Government took, which is that the island belonged to the United States; but it is nevertheless proposed to be sold to Cuba. Those people have not believed that the Government could or would denationalize them and force them to accept Cuban citizenship or else abandon their homes, to the utter ruin of the most of them. No American has had occasion heretofore to take such a view of any American administration.

Those people, Mr. President, in looking at that situation, have been—I will not say entrapped or deceived; but according to the present attitude of the Government of the United States, and especially of the Secretary of State, they have been very grossly misled, for, notwithstanding that treaty is here to-day and demanding ratification in the form in which it was negotiated, the Secretary of State has come forward in a letter, which I shall presently present to the Senate, and has stated that the Island of Pines always belonged to Cuba and belongs to it now, and that the United States can never get any title to it except through a treaty of cession from the Government of Cuba. Why, then, is the Secretary of State here urging and demanding the sale of that island to the Government of Cuba, when he announces that Cuba always owned it? If, for reasons that are satisfactory to him, politically or personally, he wants the Government of Cuba to take this island, let him take his treaty out of this body, withdraw it from consideration, and stand on the doctrine that Cuba always owned the island and owns it to-day and that the Government of the United States can not get title to it except by treaty with Cuba ceding it to us. Let the honorable Secretary of State, with all of his great character and his great legal information, stand up before the country and answer this question. He can not afford to do it, having stated that attitude as presented on the face of the papers.

Mr. CULBERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Alabama yield to the Senator from Texas?

Mr. MORGAN. I do.

Mr. CULBERSON. Do I understand the Senator from Alabama to make the proposition that the treaty which has been pending here for three years in one of its sections proposes to sell to Cuba the Isle of Pines, and that after that treaty was submitted and after that position of the United States was known citizens of the United States became financially interested in the Isle of Pines?

Mr. MORGAN. Yes, Mr. President, before that time and since that time; but since that time there has been a greatly accelerated immigration. The people of the United States have gone there and have settled up this island until, if the Senate can see it [exhibiting a map], the red colors there represent American ownership of the land and the yellow colors represent Spanish ownership—not Cuban, but the ownership by Spaniards—of the land of that island. The few little black specks scattered about the map, amounting to probably not 20,000 acres, represent land belonging to men who were Spaniards and registered themselves as Cubans under the treaty of Paris. Here it is [exhibiting].

We have had various statements from time to time about the American ownership there. At one time it is put down as one-fourth, the next time as one-half, the next time as two-thirds, the next time as seven-eighths of the island, and now it is nine-tenths, showing the accelerated immigration and the increased improvements that have been going on there; and farms have been laid out and houses built, on which money has been expended by the people who have purchased lands in the island. It can not be less than two and a half million dollars which has been expended in their improvements.

They have been acting since that treaty was signed upon the statement contained in the body of the treaty, that the United States owned the property and was selling it to Cuba, and they have been migrating there and trying to occupy that country in the hope that they would be able to show the United States that it was better for the people of the United States and better for the people of Cuba and of the world that an honest, enterprising, industrious American citizenship should go there and improve that beautiful and lovely island rather than that it should remain in the neglect which Cuba and Spain had bestowed upon it heretofore. Were they covetous? Had they no claim to a just

interpretation of their motives, when they considered the vast sums our people had expended in redeeming Cuba from Spanish despotism, and of the lives of their sons sacrificed in battle and in camp for the independence of Cuba? We will see where the boasted gratitude of Cuba is exhibited in the unlawful and brutal treatment of our worthy citizens on the Isle of Pines.

Mr. President, I wish to present some of my credentials to the Senators of the United States in connection with this particular subject. I have not got a single constituent in the Isle of Pines, except one poor fellow who migrated to the Isle of Pines long before this treaty was made—as soon as the Platt amendment was adopted. He went from the county of Blount, took his wife and his three or four children with him, and bought himself about 10 acres of land, planted it with orchards—oranges, pineapples, and what not. When he saw that a Cuban officer had gone in on the Island of Pines, hauled down the American flag and put up the Cuban flag over that country, he became alarmed about his little family, and he wrote me a quiet, beseeching letter, that I would try to look after his interests in the Senate. Since that time, until the day before yesterday I have never received a communication from any man in Alabama in regard to this business; but I have received hundreds of communications from Ohio, from Pennsylvania, from New Jersey, from New York, from Iowa, from Wisconsin, and from Michigan, all north of the river Ohio, beseeching me, a Democrat, a southern man, an "ex-Confederate brigadier," and a man, of course, who is the despised of the despised of the world in the estimation of those people—beseeching me that I would come forward and advocate their cause, and I am here for that purpose.

These are my credentials in connection with the advocacy of their case. I am not here to advocate anybody—if there is anybody of that sort in the Island of Pines—who is a mere exploiter of capital or of speculation; but there are very many hundreds of honest, upright, industrious, faithful citizens of the United States who are there engaged in attending to their own business and really making the desert blossom as a rose. These are the men to whom my first allegiance is due. That is an allegiance of affection; the other is the allegiance of the law. Both the law and an honest pride in defending the rights of my countrymen unite in supporting me in an honest effort to see that justice is done to them. Age and weariness will not cause me to fail in that duty, especially when our own Government reproaches them for quietly demanding justice.

I have here, Mr. President, some petitions that I desire to read on this subject. The first one that I will read was handed to me this morning. It explains how it happens that this charge got abroad throughout the United States that the Isle of Pines was being settled by speculators for the purposes of money making, and that those are the men whom Senators on the other side of the Chamber are trying to oppose. I must not say, in justice to the other side of the Chamber, because there are a number of Senators on that side of the Chamber who are as much interested in this matter as I am and in the same direction—I will speak of those gentlemen who are afraid that the Isle of Pines is a big speculation, a land speculation, and who therefore raise their voices against it.

The people whom I am trying to represent here are the farming elements and the mechanics of that region of country, the men who raise fruit and crops of very valuable sorts, and the owners of boats who fish for sponges and other fishes. The last papers I have got explain the reason why it was that in the beginning of the operations in the Isle of Pines it required cooperation in order to raise money enough to get hold of any title that could be made use of. I will read it:

WASHINGTON, D. C., June 1, 1906.

Hon. JOHN T. MORGAN,
United States Senate.

MY DEAR SIR: In my last communication to you I neglected to mention a few facts relative to the early purchase of land in the Isle of Pines, which I deem of considerable importance to this discussion. The first American purchasers of land on the Isle of Pines after the Spanish-American war were a number of Iowa farmers, headed by Ira A. Brown, who secured their holdings about July or August, 1901. On their visit to the island they found it impossible to purchase land in small lots. The only tract which they found that they could purchase at that time was Santa Rosalie, containing 20,000 acres. They formed a syndicate of Iowa farmers, consisting of forty or more, and purchased this tract for division. They then incorporated under the name of the Isle of Pines Land and Development Company, and spent about \$5,000 in surveying and subdividing the same. Following this, they set aside for each member of the syndicate 100 acres, which was turned over to him as his private property, and the balance, divided into 10, 20, and 40 acre tracts, was reserved for sale to others. Nearly every man in the syndicate immediately went to work improving his hundred-acre holding. They laid out the town-site called Columbia, each taking a lot, and since then this town has been slowly building and improving.

A few weeks after this was purchased I took an option on the estate of Don Juan Costa, deceased, an old ex-Spanish military officer, who had been living on the island for many years, and who was a direct

descendant of Captain Duarte, to whom the whole island had been ceded by the Spanish Crown. With the aid of some gentlemen from New York, we purchased this large estate, consisting of about 60,000 acres and a large number of houses and lots in the town of Nueva Gerona, at a cost of several hundred thousand dollars. That was the largest estate on the island, but not a single house upon it or a foot of land in it could have been purchased as a separate entity. The whole estate had to be taken intact, as the heirs of Costa were scattered in different parts of the world. They could not agree upon a division, so the whole property had to be sold together. We have since interested nearly 500 American citizens in small tracts of this property.

Many other syndicates of Americans were formed in this way, as they were forced to raise large capital to buy large tracts of land, as the whole island was divided into large divisions and the owners would only sell on condition that their land was taken as a whole.

All titles in all land on the island go back to Captain Duarte, a Spanish army officer, to whom the whole island was granted by the Spanish Crown, as a reward for cleaning out the pirates who infested the island.

Before the Spanish-American war there never was any great number of civilians living on the island. There were only a few large Spanish landowners, engaged in raising cattle and hogs, who utilized prison labor, as the island was a penal and military station, where prisoners from the other West Indian islands of the Spanish possessions were sent rather than to the Spanish penal possessions in Europe.

The reason that the census taken by the American military in 1899 showed a population of over 3,100 in the Isle of Pines was due to a great influx of Spanish refugees, who had gone there for protection during the change from Spanish to American sovereignty, fearing to remain among their Cuban neighbors, who they believed might attempt to wreak vengeance on all Spaniards in Cuba. At one time these refugees were said to have numbered over 14,000, but when the census was taken, in 1899, the larger portion of them had returned to their homes in Cuba, and within a year after the census was taken they had practically all returned to Cuba, leaving the normal population of the island—which, in my judgment, at that time was not more than 1,500. I believe that about half of these have since emigrated to Cuba, after selling out their holdings to Americans, their places being taken by the purchasers. I believe that the present population of the island is between 1,600 and 1,800. Nearly all of the native population live in Nueva Gerona and Santa Fe, and nearly all the farms are owned and operated by Americans. When all of the 2,500 Americans, many of whom are heads of families, remove with their families to the Isle of Pines and begin improvements on their real estate holdings, as were their intentions when they bought, you can readily see that the American population on the island ought to aggregate 6,000 or 7,000, even if no more land is purchased by Americans down there. In my judgment, the island is capable of supporting a population of 200,000 people.

Yours, truly,

S. H. PEARCY.

DISTRICT OF COLUMBIA, 88:

Personally appeared before me S. H. Percy, a resident of the Isle of Pines, who, first being duly sworn, deposes and says that the above letter to Senator JOHN T. MORGAN is true and correct to the best of his personal knowledge and belief.

[SEAL.]

BENJ. VAIL, Notary Public.

I requested these gentlemen, if they wrote me any letters in regard to conditions in Cuba, to please swear to them, not that I in the slightest degree suspected their veracity, but because their veracity has been frequently questioned. They are constantly accused of false exaggeration in their statements. I undertake to say, with my knowledge of the people there, so far as it goes, and my observation of humanity, that it is about as respectable a community as any community of the same size that you can find in the United States.

Now, Mr. President, I present and ask the Secretary to read for my relief, because I am not very strong, the other petition to me, which causes me to attempt to get justice for these people.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary proceeded to read the petition referred to.

Mr. FORAKER. May I interrupt the Senator before the Secretary proceeds with the reading?

The VICE-PRESIDENT. Does the Senator from Alabama yield to the Senator from Ohio?

Mr. MORGAN. Certainly.

Mr. FORAKER. May I inquire what the paper is which the Secretary is about to read?

Mr. MORGAN. The paper is a sworn statement of Mr. S. H. Percy with regard to conditions on the Isle of Pines.

Mr. MONEY. May I ask the Senator from Alabama does he expect to get action on this resolution to-day?

Mr. MORGAN. I do not know. It is here at the disposal of the Senate. I want to press this resolution to a vote. A motion has been made to refer it to the Committee on Foreign Relations, and I am willing to take a test vote on that motion.

Mr. MONEY. I want to say now that before any vote can be had, I desire to be heard in reply to the Senator from Alabama as to certain statements he has made. With all respect to the Senator and in perfect kindness, I have something to say regarding the passage of a resolution like this, which intrusts to a committee of the Senate a duty that belongs, in my opinion, to the diplomatic department of this Government.

Mr. FORAKER. I will want to say something also.

Mr. MORGAN. I seem to be calling gentlemen to their feet before I get my case stated.

Mr. FORAKER. I was not called to my feet by that. I did

not hear the Senator state what the paper was which he asked to have read.

Mr. MORGAN. I am just now making a statement of the case.

Mr. FORAKER. I was spoken to by another Senator at the moment, and I wanted to know what the paper was, and so I made the remark as to my desire to say something in answer only because I was on my feet at the time.

The VICE-PRESIDENT. Without objection, the Secretary will read.

The Secretary proceeded to read the petition.

Mr. MORGAN. Mr. President, as the reading of this paper will occupy more time than I believe ought to be occupied this morning, and inasmuch as the resolution will probably have to go over, as it is going to be debated, I will ask leave to insert the petition in the Record without further reading, instead of having it read at length, and I will proceed with my other statement. I do not expect to be able to do more in the time remaining than to get my case stated.

The PRESIDING OFFICER (Mr. BACON in the chair). Is there objection to the request of the Senator from Alabama that the paper referred to by him be printed in the Record without reading?

Mr. CULLOM. Let it be printed as a document.

Mr. MORGAN. It is suggested to me that it also be printed as a document.

Mr. CULLOM. No; I thought it would be better to print it as a document and not print it in the Record.

Mr. MORGAN. No; I want it printed in the Record.

The PRESIDING OFFICER. The Senator from Alabama asks that the paper referred to be inserted in the Record without further reading, and also printed as a document.

Mr. CULLOM. It seems to me we ought not to double up the printing unnecessarily.

Mr. MORGAN. I have the floor, and I will stay here and read the petition myself, if necessary.

Mr. CULLOM. I have no objection to its being printed in the Record, as the Senator desires. I only suggested to him that if he preferred it could be printed as a document, or in the Record, whichever he preferred.

Mr. MORGAN. I prefer to have it printed in both forms.

Mr. CULLOM. If the Senator so prefers, I am satisfied, but I do not think it ought to be printed in both forms.

Mr. MORGAN. The Senator suggested that it be printed as a document after I had asked that it be printed in the Record. It was to accommodate the Senator that I also asked to have it printed as a document.

Mr. CULLOM. I suggested to the Senator that perhaps he would prefer the latter.

Mr. MORGAN. Either way, I do not care; but let it go in the Record.

Mr. CULLOM. I have no objection to that.

Mr. MORGAN. Then I ask that I may have leave to print it in the Record without further reading.

The PRESIDING OFFICER. The Senator from Alabama requests that the paper referred to by him be printed in the Record without further reading. Is there objection? The Chair hears none, and it is so ordered.

The paper referred to is as follows:

WASHINGTON, D. C., May 24, 1906.

Hon. JOHN T. MORGAN,
United States Senate, Washington, D. C.

MY DEAR SIR: I desire to call to your attention a few of the conditions existing in the Isle of Pines for the past five years, but more particularly since the American soldiers were withdrawn from Cuba, May 20, 1902.

I am a citizen of the State of Tennessee, but for the past five years have lived in the Isle of Pines. I became a resident of that island on account of assurances which I myself and other American citizens received from the War Department of the United States Government. These assurances were of such a character as to leave no doubt in our minds at the time as to the sovereignty and title to the island being in the United States Government. This belief was further strengthened and confirmed by assurances received from the Hon. John Hay, Secretary of State, at his office in the State Department in Washington, in the presence of other witnesses, who can be produced to verify my statements. These assurances were of such a nature as to leave no doubts in our minds that the island would be retained as American territory. The American citizens resident in the Isle of Pines for a long time never doubted or questioned the fact that the island was American territory, but as the time grew near for the American Government to be withdrawn from Cuba and nothing had been stated in an official public way with respect to what arrangements were going to be made regarding the future government of the Isle of Pines upon the withdrawal of the American troops, we deemed it advisable to see General Wood at Habana and find out from him if any steps were to be taken with regard to an American government in the Isle of Pines after he would withdraw from Cuba on May 20, 1902. Accordingly a mass meeting of the residents of the Isle of Pines was called three or four weeks before the turning over of the island of Cuba to the Cuban Government by General Wood. A committee was selected at this meeting to call on General Wood at his headquarters at Habana and get

such information as we could upon the subject directly from him. Messrs. William Mason, Charles Raynard, and T. J. Tichenor were appointed as spokesmen of this committee. Other Americans as well as myself accompanied the committee to Habana. General Wood received the committee, discussed the matter fully, and gave it every assurance that the people of the island need not have any doubt upon the subject, as he had already selected a United States Army officer to be installed in command of the Isle of Pines on or before May 20, 1902, and that he was to remain there until the United States Congress had made a proper disposition for the future governing of the island.

A number of us Americans left the Isle of Pines and went to Habana to witness the ceremonies of the transfer of the sovereignty of Cuba to the Cuban Government by General Wood, and to congratulate the Cubans and help them celebrate the day. When we returned to the Isle of Pines next day, May 21, 1902, we were surprised and chagrined to learn that the American flag had been pulled down on the custom-house at Nueva Gerona, and the Cuban flag substituted. This act of duplicity, we ascertained, had been forcibly done in spite of the protests and active resistance of the captain of the port of Nueva Gerona, a Cuban serving under the American military government, by one Juan Sanchez, alcalde, a Cuban who had been, and was then, serving under authority of General Wood, from whom he had received a commission as the American governor of the island. This captain of the port, who had refused to pull down the American flag, was shortly afterwards dismissed from the service by the Cuban authorities, but never received any notice from General Wood or the American authorities that he was to pull down the American flag and substitute the Cuban flag therefor. Mr. Sanchez, appointed to his place as alcalde by General Wood during the American régime in Cuba, as an American official, is to-day the alcalde of the island but ostensibly serving the Cuban government. He openly admits that he was appointed by General Wood, and that he has never since received any other commission than that received from General Wood as an American official.

Among the other officials serving to-day ostensibly under Cuban authority are Benito Ortiz and Pedro Ordung, registered as Spanish subjects, under the protection of the Government of Spain, and therefore in no wise Cuban citizens or entitled to rule over Cuban or American citizens. They are serving to-day as deputy alcaldes. Benito Ortiz has also been acting as alcalde for the past three years for the reason that Sanchez is seldom on the island.

The present executive officials of the island are: Alcalde, Juan M. Sanchez Amal (a Cuban); first assistant alcalde, Benito Ortiz y Ortiz (a Spaniard); second assistant alcalde, Pedro Ordung y Ortiz (a Spaniard).

Executive council are: Francisco Romitto y Ortiz, Ramon Arrojo Aldave, Jose Gomez Ortiz, Serero Blanco Postrana, Manuel Fernandez Castillo, Ramon Diaz (all Cubans).

Treasurer, Rufino Duarte y Duarte.

Municipal guards or constables: Jose Corvalan (Spanish), Eusebio Blanco (Cuban).

All the executive officers are either Spanish or Cuban citizens. There are very few natives of the island holding public office.

When there is an election to be held for one of these councilmen a constable or city policeman goes around secretly and notifies a few people which the authorities can trust to vote to suit them to come to some place agreed upon and vote for the previously chosen candidate or candidates. No election notice is ever published or posted, and the general public never knows when an election is held or who the candidates are.

There is a register of deeds, who necessarily must be a lawyer. This register has an official secretary, who is a registered Spanish subject. The register is a Cuban from Habana.

For a time we had a notary, who was sent from Habana. He also must be a lawyer. He afterwards resigned, and for the past year the resident notary at Batabano, Cuba, has been coming to the island for a week or ten days out of each month, and he always went away with several hundred dollars of American money in his pocket, as he seldom charges less than \$10 for acknowledging an instrument. Just as I left the island to come here a young lawyer arrived there from Habana, and informed us that he had been officially appointed as notary for the island. The notary in the Isle of Pines makes all deeds, contracts, etc., in his own name, asserting that he makes the deed, and the buyer and seller of the property, as the contracting parties, simply sign, as acquiescing to all his acts in transferring the property.

There is also a judicial department, composed first of the municipal judge, being one member of the council, so designated by the judge of first instance, who is sent to us from Habana. This judge has control of all minor civil cases involving less amounts than \$200 each. He has two secretaries.

Second, there is the judge of first instance, who has control of all larger civil cases and misdemeanor criminal cases, and is committing justice in all felonious and higher criminal cases for trial at Habana. This official is usually shifted back about once a month and his place filled by another Cuban. He is appointed and sent to the Isle of Pines from Habana. It is generally believed by the Americans in the Isle of Pines that the reason that this official is changed so frequently is because, as soon as he thoroughly knows the Americans, he refuses to be a party to judicial persecutions of respectable people, and therefore must be replaced by another, who can be utilized for useless and trivial prosecutions until he discovers he is making a mistake, when a fresh judge is needed to carry out the concealed purposes of the Cuban Government.

There is on the island a company of the Cuban National Rural Guards, commanded by a captain. They have charge of the prison, and roam over the island at will and make arrests. They generally number from twenty-five to forty.

The customs authorities are composed of the chief of customs or captain of the port and two inspectors or secretaries. They are appointed by the secretary of the treasury of Cuba at Habana. All matters coming before this department, which give rise to protest or misunderstanding, must be referred to the Cuban custom authorities at Habana.

It appears, if I can truthfully judge from the many instances in which I was directly concerned, that the Cuban custom officials are religiously and upon all occasions endeavoring to discourage, by a system of fines, penalties, and confiscations, the importation of American goods, especially all goods which do not come through Cuba by way of Habana, so that the Cuban merchants, railways, truck lines, brokers, and express companies can get a rake off, and thereby add to the cost of our goods.

By this policy the Americans would be forced, in my opinion, to deal in Habana, a market where foreign goods, not made in America, are in many lines exclusively dealt in, and in which Americans can

not get the kind of goods, materials, and machinery that they are accustomed to and particularly desire. To show the methods in use by the Cuban customs officials to discourage the bringing in of American goods, especially by any other route than via Habana, I will cite some of the tribulations which I passed through in trying to run a line of boats from Mobile, Ala., to the Isle of Pines direct, thus avoiding Habana and endeavoring to save considerable expense in freights on American household goods and exports sent to the Isle of Pines.

In the first place, they have been in the habit of watching the arrival of my boat from Mobile a week or ten days ahead, employing from one to three revenue cutters for the purpose, and sending these boats out 10 or 20 miles to escort the schooner into port. After her arrival, the Cuban revenue officials will not allow us or any of our people to go on board of the boat for the purpose of inspection, for the purpose of checking off the goods, or of carefully supervising the unloading of fragile goods. We are not allowed even to get the goods until the whole cargo has passed through the custom-house, a week or two after the boat has unloaded and left port. We are not even allowed to cover up the goods, in transit on the lighters plying between the ship and shore, with tarpaulins to save perishable goods from the effects of the rain, consequently when heavy rains were falling we had several hundred dollars worth of goods destroyed.

On one occasion we lost \$500 worth of goods in this way at a time when we begged to be allowed to put tarpaulins over them.

On the slightest clerical error, made by any irresponsible shipping clerk at the port of shipment in the manifest or consular invoice, the whole consignment of goods is usually confiscated in spite of protests and abundant evidence that no fraud is intended. The goods are taken from us and put into the custom-house and kept from one to three weeks, and we are not allowed to guard them. The custom-house being a ramshackle affair, with doors and windows insecure, and with a leaking roof, so that thieves can enter at will. We attribute many of our losses to sneak thieves getting into the custom-house and stealing anything that can be carried away. I lost \$500 in damages and thefts in one cargo of oats, hay, corn, and perishable fancy groceries on account of this leaking roof and the insecure condition of the custom-house. I have personally paid thousands of dollars in customs into this custom-house, and yet the Cuban authorities have never spent a cent to repair the roof or the other defects in the building.

Through these fines, damages, confiscations, and purlinnings I have personally lost in the last fifteen months more than \$5,000, all of which I can prove by my books and by numerous witnesses.

To show how irregular their methods of collecting duties are I will state that I paid \$18 duty on a little rowing skiff only 11 feet in length. Another American only paid \$1.50 duty on a 14-foot skiff, identically the same in material and construction, which cost \$20 more than mine. Mine was classed as fancy furniture, and his as a boat. I protested, but they refused to remedy the error. By diligent inquiry as to the procedure of custom-house officers in other countries, I find that all of these petty persecutions are irregular and devised apparently to hound and persecute Americans. I will, if called upon, cite scores of instances of a similar nature.

ARRESTS OF AMERICAN CITIZENS.

In regard to arrests of American citizens, I will say that there have been many made for trivial causes, and persons have been confined in jail and fined, and several have been removed to Cuba for trial, in my opinion contrary to the constitutional rights of the Cuban Government. The first case that I will cite is that of James M. Steere, a prominent citizen and a man of high standing, who was arrested because he had refused for a short time to give up goods to the courts until the storage charges had been paid after a portion of the goods had been surrendered and the storage charges on them had not been paid. For insisting on the payment of these storage dues Mr. Steere was arrested and cited to appear before the higher court in Habana on charges of malversation of public property—an absurd charge. Mr. Steere and myself went to the American minister, Mr. Morgan, at Habana, to ask advice, and a clerk brought us word while we were waiting to see him that Mr. Morgan was so busy that he could not see us. This aforesaid clerk said to us: "We are instructed by Mr. Root to the effect that we are to treat all cases of appeal of Americans in the Isle of Pines to the American minister at Habana in accordance with the declarations of the letter written by Secretary Root to Charles Raynard last November." Mr. Steere, by making inquiries, ascertained that he was liable to imprisonment for a long period on this trumped-up charge, and he immediately departed for Washington to seek the protection of the State Department. On the day of trial in Habana another American, myself, and four Cubans appeared at the court in Habana, in obedience to summons, to give witness in the Steere case, having been given notice that if we did not appear in Habana we would be subject to a \$25 fine each, and that the Cuban authorities would collect it in the Isle of Pines. A copy of the summons is herewith inclosed. The four Cuban witnesses were examined, but the Americans were not. We were instructed that we would not be paid our expenses in coming to Habana, and that we would have to return again when notified. Mr. Steere not being present, the court decreed that he be arrested wherever found for contempt of the Habana court. Consequently he could not return to the Isle of Pines, but was obliged to abandon his home on account of the possibility of getting into trouble with the courts of the neighboring Republic of Cuba. His wife was forced to sell out her furniture and other personal property in the Isle of Pines at a sacrifice and follow him to the States.

Another peculiar incident of Cuban court jurisdiction in the Isle of Pines was the arrest of Mr. Otto Parrish, of Cincinnati, at Santa Fe, on the charge of resisting an officer. Parrish was arrested at Santa Fe by the rural guards while intoxicated. His alleged resistance to the officer was so trivial that it was ludicrous to the bystanders. Parrish was kept in jail five or six weeks without trial in the Isle of Pines. He was kept in a small cell with a brick floor and without furniture of any kind, not even a bed. I furnished him with a bed myself. He was afterwards taken to Habana about two months ago, where he has been since kept in prison. His trial has been held and the prosecuting attorney has demanded a sentence of one year and eight months. It is the usual custom in Cuban courts to impose the sentence asked for by the prosecuting attorney. As yet, however, the court has not formally pronounced sentence.

THE LEE CASE.

Another case I will report to you is that involving two brothers by the name of Lee, which has already been circumstantially given to you in letters and affidavits. The two brothers were living together at Columbia, Isle of Pines. One of them died and he was buried in the burial plot set aside for burial purposes by the American colony. A few days after the funeral Mr. Lee, the remaining brother, who was afflicted with consumption, was informed by the Cuban authorities that

he would have to dig his brother's remains up and rebury them in the established burying ground at Santa Fe, 9 miles distant, under penalty of imprisonment. Mr. Lee, not being able to understand the seriousness of his trivial offense, refused to comply. He was soon afterwards arrested and placed in jail in Nueva Gerona for a few days. He was then secretly removed to Cuba on a schooner and confined in jail at Bejucal, Cuba. Here he was subjected to all manner of indignities, and being a man of 70 years of age and weak in health, it resulted in his death afterwards. The full particulars of this incarceration have been reported to you by others. Sufficient it is to say that the whole proceeding was so inhuman as to alone justify a committee being sent to the Isle of Pines to investigate it. The Americans have been refused the right to establish a burying ground anywhere in the island. The principal burying ground is at Nueva Gerona and belongs to the Catholic Church. No one can be buried within the consecrated walls except by permission of the priests, which is only given to communicants of that church. The church also owns outside of the walls a small lot called the "potter's field," which is kept for the burial of paupers and criminals, and in this plot all Americans in that section of the island must be buried, as if Americans were only fit to be buried among paupers and criminals.

Five or six Americans have been buried there. When new graves are made old skeletons and bones are dug up and thrown away. I have seen as many as four skeletons dug out in the making of one grave. At the time of Mr. Lee's incarceration I wrote to the American minister, Mr. Squiers, at Habana, giving him the full particulars, and received a reply to the effect that he could not interfere with the Cuban courts and the law would have to take its course. Naturally under these conditions we are forced to bury the Americans who die in the island in the potter's field, the same as if they were criminals or paupers, for the reason that the Cuban laws are very strict and do not permit the Americans to have a burying ground of their own.

THE MOERKE CASE.

Another case, which has already been fully and truthfully reported to you, is that of the former postmaster at Columbia, Isle of Pines, Mr. Moerke, who had failed to pay the 30 per cent additional war tax added to his regular license fee for running a small store. Mr. Moerke was willing to pay his regular license tax, but could not understand why he was required to pay an additional tax of 30 per cent imposed by recent act of the Cuban Congress to defray the Cuban war debt. He was arrested, imprisoned, and after some delay was fined \$50 or given the alternative of fifty days in jail. Next day the Cuban rural guards took a wagon and went to Moerke's home, which they found locked up. They broke in the doors and, in spite of the protests of his wife, removed all his stock of goods and some of his furniture, including his wife's sewing machine, and leaving his wife and five little girls destitute. They were obliged to live on the charity of neighbors. After sixteen days of incarceration in jail the American residents paid Mr. Moerke's fine and he was released. His furniture and household goods are still held by the Cuban authorities and never have been returned, and his business has been completely wiped out.

It has been stated by the Cubans and other misinformed persons that Mr. Moerke was fully amenable to the Cuban laws because he had taken the oath of fealty to Cuba in order to secure the office of postmaster. This is a mistake. He never took the oath of allegiance to Cuba, and only gave a bond for the faithful discharge of his duties. He did this at the earnest solicitation of his neighbors, as there was no Cuban or native living within several miles of Columbia upon whom the duties of postmaster could devolve.

It is needless for me to recite the other cases of this character that I could, as the details would only weary you.

The persecutions and arrests of members of my own family, consisting of myself and five sons, are too numerous to mention. For instance, my son, 15 years of age, was grabbed by the collar by a Cuban rural guard in a store because he did not get out of the building on orders from the guard quite as quickly as he thought the boy ought to. My son was paraded through the streets in front of my house while being shaken by the collar and roughly pushed by this negro guard, which was observed by my wife and myself.

Naturally I ran out to see what was the matter. I asked the guard why my son was arrested, and received no reply. I followed him to the jail and inquired there, and was arrested, and a bond of \$25 each for the appearance of myself and son to answer to the court was demanded. The captain of the guard also demanded bonds of other bystanders who came into the jail to find out about the arrest. The next day my son and myself were fined \$10 each, which I paid. I inclose the receipts. Members of my family and myself have been arrested and fined a great number of times on charges which would not be recognized in any civilized country as worthy of notice. This was the most serious charge ever brought against a member of my family in the Isle of Pines.

CUBAN CUSTOMS REGULATIONS.

The Cuban laws with respect to boats and pilots and coast regulations under recent orders are very troublesome; at times prohibitive, and always wound around with an abundance of red tape.

Americans are not allowed to own a boat of any kind, not even a launch, in their own name. They are not allowed to use them unless they have a licensed Cuban pilot aboard for sail boats, and a licensed Cuban engineer and pilot for steam or gasoline launches. I have recently been forced to tie up my sailing yacht, which I have owned and operated under the Cuban flag, with a Cuban licensed crew, for several years. The Cubans made a demand on me that I put the boat in the name of a Cuban. I would not do this, as I feared to do so. This forced me to suspend work on the south side of the island, where we have a large property and are working a large number of men, as I could only get to this part of the island by boat, there being no road or any other means to get there.

Spanish subjects, registered as such, are allowed to own boats and hold office upon the island, and are also allowed all the privileges enjoyed by Cuban citizens, while there are only a dozen or so of them, but there are several hundred American citizens who are not allowed any of these privileges.

Some of the minor regulations with regard to boats are very troublesome, and cause delay, sometimes amounting to a day or two, to make out the necessary papers and comply with the unnecessary red-tape proceedings. We are not allowed to move our little launch even 10 feet, or take on water or fuel, without getting out a batch of papers. All this must be done on primitive forms, and we have to send to certain Cuban printing firms in Havana and buy all these forms. Should we run out, we can not use our boat until we get another supply from Havana, as they can not be bought elsewhere. They cost from 5 to 10 cents each, and it requires five different kinds of these forms before we

can move our little boat, after wasting a lot of time to fill them out. In addition to all this, the blanks must be filled out by Cuban pilots. There is now but one Cuban licensed engineer living in the island, and he is employed on one of the steamers plying between Batabano and the Isle of Pines, consequently the only way we can run our boat is to send to Cuba and get a licensed Cuban engineer. Our last man who acted as Cuban pilot could not read or write, and my son Edward had to fill out all the blanks for him. He was a half-breed negro fisherman, and quit his place here because he got stuck up as the master of a ship, and therefore declined to be ordered when and where it might be necessary for us to go.

THEIR SYSTEM OF TAXATION.

The system of taxation enforced in the Isle of Pines is about as follows:

For owning a wagon or vehicle of any kind for hire it is necessary to pay a road tax of \$5.50 a year.

For individual use the tax on the same vehicle is \$10.50 per year. This tax is rigidly enforced, although the Cuban Government has never spent a cent for roads or any other purpose, except the salary of officials in the island.

All licenses expire on July 1 each year, and if a man should purchase a vehicle in June a Cuban official would be after him as soon as he saw the vehicle taken off the boat to take out a license, which would cost the owner the same amount for the unexpired month of June as it would for a year, and the owner on July 1 would be obliged to take out another license, paying for the full year.

A license is charged for almost every act that a man can perform of semipublic nature. For instance, for operating a sawmill it costs from \$21 to \$29 per quarter.

For merchandising a special license is required for each class of goods sold, running from \$3.50 to \$29 for different articles per quarter. For each pair of scales used \$2.50 per quarter is levied.

For a hotel or boarding house or lunch room \$5.91 per quarter is levied, with \$10 a year extra where wines or liquors are kept.

For killing a pig an application to the alcalde must be made, a permit secured, and 75 cents paid.

For killing a beef \$1.50 is levied.

An American living in Nueva Gerona a few weeks ago had a small pig in his back yard, for which he had paid 25 cents. The town policeman came in and notified him that he must not keep the pig in town. He concluded that the only thing he could do was to kill it and eat it, although it was very small. The policeman returned in the afternoon to find out what he had done with the pig, and when he told him that he had killed the pig the policeman arrested the citizen and took him before the alcalde for not having obtained a permit and not having paid the 75 cents. The alcalde fined him and gave him a severe reprimand for violating the law.

Every kind of industry and mercantile pursuit and privilege is taxed, but they are too numerous to mention, and many Americans do not discover that they are violating the laws until they are arrested and fined.

The taxes on real estate are supposed to be based on the rental value, a certain per cent thereon being levied. Unimproved and unused land is supposed not to be taxed, but we as American citizens nevertheless are paying taxes on thousands of acres of unused lands. Recently there has been a sudden and enormous increase in these taxes, in some cases as high as 3,000 per cent. In some instances the present taxes amount to more than the rent received from the property. I subjoin a report of property under my control, showing the differences and the immense increases in taxation as per the old and new assessments. The following is a comparative statement of taxation on country property belonging to the Isle of Pines plantation. The taxation is levied semiannually:

Name of tract.	Old assessment.	New assessment.
San Andra Jorobado.....	\$4.50	\$26.76
San Andra Copao.....	9.00	12.00
San Andra Milcon.....	9.18	28.00
Puerto Francis.....	2.00	4.00
Santa Barbara las Nueva.....	2.00	38.00
Concepcion.....	2.00	60.00
San Rosario.....	2.00	38.00
La Cisterne.....	2.00	10.00
Santa Terresa.....	2.00	38.00
San Carlos.....	1.00	1.70
Santa Isabel.....	.82	1.80
Tejar, or Brickyard tract.....	1.00	.20
Arbitra (Wm. Lampson).....	1.20	12.00
Alcancia. (No notice.)		

Town property paid quarterly.

Hotel license (quarterly).....	8.75	5.91
Lot No. 15, Vevis street, Nueva Gerona.....	1.13	1.72
Lot No. 13 ¹45
Lot No. 13.....	.45	1.60
Lot No. 6 rejar.....	.45	.94
Lot No. 4.....	.45	.94
Lot No. 2.....	.45	.94
Lot No. 11, Penillas.....	.45	1.81
Lot No. 11.....	.45	1.81
Lot No. 7.....	.68	2.50
Lot No. 9.....	1.13	2.81

I also inclose the official notices from the treasurer of the island, showing the assessments for last year and this year, and indicating, on an average, an increase of over 700 per cent, notwithstanding that there have been no increases in the rental values upon which the tax is supposed to be based. All licenses and taxes, by a special act of the Cuban Congress, are assessed with an additional 30 per cent for the purpose of paying the Cuban war debt.

Any nonpayment of a license or of taxes before the end of the first month in the quarter or semiannual term in which they are to be paid in advance will bring upon the delinquent a penalty of 6 per cent added, and if not paid by the end of the term a 12 per cent added penalty. In case that a quarterly tax is not paid in six months, the property is seized and sold. In case that a quarterly license is not paid in six months the penalty is arrest and fine, and imprisonment in case the fine is not immediately paid. In case of six months' license term the same rule holds.

SCHOOLS AND THE LANGUAGE USED THEREIN.

There are several public schools on the island, conducted exclusively in the Spanish language by teachers sent there from Habana. Their method of teaching is absolutely of no value to the Americans on the island and, in my judgment, of no value to the native children. The Americans are forbidden to carry on private schools at their own expense, unless they can employ teachers who are able to take the Cuban examination in Spanish, and obtain a special permit for the school. This is impossible, as no teacher who could be employed for the salary we could afford to pay and who would be of any value to American children can take this examination.

The Catholic priest at Nueva Gerona recently opened a private school to teach both Spanish and English, but his method of conducting the school is unsatisfactory. Several friends and myself employed a teacher last winter for our school, but we were officially notified that we must have the teacher examined and get a permit or we would be arrested and fined. I went to the school board and told them that it was impossible to allow our teacher to attempt to stand an examination, as she did not understand any Spanish, and that we had brought her from the States at considerable expense and we could not afford to suspend the school. They insisted that we should, and I told them that we would guard the door and shoot anybody who interfered with the school. They then proposed, as a special favor, that she might teach at our homes until we sent a special application to Habana to allow her to teach our children in our homes. This I refused to do, but offered to apply to them for a permit if they would grant it at once, without going to Habana or suspending the school. After a long and troublesome debate, they submitted to this, but prohibited the Americans at Santa Fe from carrying on a similar school, under threat of arresting the teacher. Under this method of carrying on schools of course it is impossible to get any satisfaction either in method or teacher.

AS TO THE POPULATION.

The number of Americans, in my opinion, living on the Isle of Pines is about equal to the number of native Spaniards and Cubans combined, the latter not being more than fifty or sixty. Most of these are nonresident officeholders, as we term them "carpetbaggers," sent there from Habana to govern and guard us. I think there are more American men than there are men of the others combined, but I think that the children of Latin blood are in excess.

The natives and Spaniards, as a rule, are in favor of American rule, but they are afraid to admit it openly. Nine-tenths of the habitable land of the island belongs to the Americans, and the balance belongs to the Spaniards and natives. I do not know of a single Cuban who owns land on the island. There are about 4,000 or 5,000 acres of land that formerly belonged to the Crown of Spain which has recently been taken possession of by a Spaniard (I believe fraudulently), who acts as first assistant alcalde. He is a very rich man, and is selling or offering for sale portions of these lands to Americans at from \$25 to \$40 per acre. Hence this Spaniard, who was heretofore strongly in favor of American control, is now openly fighting for Cuban rule, as he knows that he would lose this land if the island came under control of the United States. I am informed that he has recently applied for Cuban citizenship papers, although he has been an officer under the Cuban Government for several years without citizenship.

At a mass meeting of the Americans held in the island a short time ago a committee was appointed to take the census and ascertain exactly the number of Americans and other nationalities living on the island. The man who had charge of this work in the Santa Fe district was arrested and fined and prohibited from proceeding further. The parties who had charge of the Nueva Gerona district were arrested and taken before the alcalde and reprimanded and told that if they proceeded further they would be arrested and locked up. These arrests prevented from taking a census by a house-to-house canvass. Hence we have no way to ascertain the exact population of the island, which, in my judgment, is less than eighteen hundred. But as over twenty-five hundred Americans have purchased land in the island, many of whom have not yet come to live there permanently, there is a continual immigration there of these people and their friends to look over the island and arrange for improving their lands. Here I wish to state that very few of these have obtained deeds to their property, but nearly all have purchased upon contract to avoid the heavy expenses of filing deeds until the "carpetbag" government is a thing of the past.

One tract of 5,200 acres, which has been colonized from the city of Buffalo, has nearly 500 purchasers in small amounts, running from 3 to 20 acres, and only about twenty-five of these have deeds. As I have the making of these deeds I can positively assert the truth of the above statement.

If all the land that is now sold to Americans on the island was to be deeded to the purchasers, the fees to two Cuban officials, the notary and the register, would amount to more than \$125,000, say nothing of the 1 per cent that we are forced to pay to Cuba on all deeds, mortgages, contracts, etc., that are placed on record, on the amounts of consideration in such instruments. For instance, if you should sell a piece of property for \$1,000 and take a mortgage for one-half of the selling price, you would be forced to pay 1 per cent on the full selling price and also the same per cent on the mortgage. So also when you dismiss and satisfy it you will have to pay another 1 per cent on the face value of the mortgage. This 1 per cent always goes to Habana and is paid directly to the Cuban Government, and this in the case mentioned would amount to \$20, or 2 per cent, on the face value of the original sale. This tax has nothing to do with the notarial and registration fees, which are extra. It cost us \$500 to have the notary write one deed for us, \$1,160 to put the same instrument on record, and \$1,310 in Cuba State taxes of 1 per cent. In view of these charges, there can be little wonder that the Americans in the Isle of Pines are not anxious to place their deeds on record. The expense of the instruments of record, taxes, etc., in small sales, such as town lots, are frequently almost equal to the cost price of the property.

THE OLD SPANISH LAWS.

In truth, the laws administered in the Isle of Pines are such anachronisms, smacking as they do, of the sixteenth century, that they could hardly be administered without gross inequalities and hardships under modern enlightened conditions anywhere in the world. The laws made by the Crown of Spain to govern the Cubans, when violence and revolution were rife in Cuba against Spanish rule, are to-day being administered by the Cubans in the Isle of Pines against the Americans, and no effort is made to change them. The Cubans openly boast in the Isle of Pines that these laws suit them, as long as they have the administering of them, although they made a great outcry against them when they were administered by the Spaniards. Verily I believe to-day, if the famous reconcentrado order of General Weyler was per-

manent instead of temporary, the Cuban authorities in the Isle of Pines would be enforcing it now against the Americans.

For example, a man came into our hotel at Nueva Gerona and attempted to kill a woman, but was prevented by two Americans. He was held by them until taken in hand by the authorities and placed in jail in Bejucal, Cuba.

While there he reported to the judge of that district that the two young Americans who arrested him had tried to kill him. A large number of people, including the alcalde and the priest, saw the whole affair, including the resistance and arrest, but notwithstanding this fact and that the truth could easily have been ascertained the two Americans who had prevented the crime were arrested and forced to put up \$200 each as collateral to appear in Bejucal, Cuba, for trial. Afterwards the prisoner escaped from the Bejucal jail, but the two Americans did not find it out for a year, as the Cuban authorities never notified them that the prosecution had been abandoned, owing to the escape of the prisoner. After another year of hard work, with numerous legal complications, the two Americans got their money back. It cost them over \$100 in expenses and numerous trips to Cuba. There are many other instances too numerous to mention going to show that any kind of a charge preferred by a criminal or any other irresponsible person will cause an American to lose his liberty and the most flagrant prosecution and persecution by the Cuban judicial authorities both in the Isle of Pines and subsequently in Cuba. Until he can prove himself innocent under Cuban-Spanish laws the American is treated as a convicted criminal, no matter how irresponsible the Cuban accuser may be, or how responsible the American may be. Hence our lives, liberty, and property are continually imperiled and some of our people have been forced to abandon their homes and property in the island and flee to the United States to avoid persecution. Others of us have so far stood our ground, notwithstanding these persecutions, continually hoping to get recognition and protection from our own Government, which to date has been denied us by the executive authorities.

One of the old Spanish laws, which dates back for centuries, and was intended to be enforced against filibustering expeditions, is revived and rigidly enforced against the Americans. It is the law to prevent anyone from carrying arms or having ammunition in his possession. It is rigidly enforced down to squirrel and bird guns.

No American is allowed to have any kind of a firearm in his possession (a right guaranteed in the American Constitution) unless he secures first a permit from the governor of Habana Province in Habana, for which he is obliged to pay \$6 per gun per annum, provided the permit is granted. It is very difficult to get such a permit. A prominent American who has a \$60,000 winter residence on the island recently brought a little gasoline launch to the island and purchased a rifle and cartridges for the purpose of running up and down the rivers and shoals to shoot crocodiles. His rifle and cartridges were confiscated, and he was refused the privilege of running his launch because he would not put it in the name of a Cuban and hire a Cuban pilot. It was only 21 feet in length, and was secured for the purpose of having the members of his family run it, any of whom were perfectly competent to do it.

In view of all the facts above set forth, which are only a few of the many abuses practiced upon Americans in the Isle of Pines, I, as a special representative of the people sent here to plead before Congress for our rights and for recognition and simple justice, have come here to lay before the Senate, through you, the whole facts, and to assure them that hundreds of witnesses in the Isle of Pines can substantiate every fact set forth in this letter, and many others that I do not at present care to set forth in this already too lengthy instrument can be brought before any committee that their honorable body may see fit to appoint.

We believe that the Senate is a just and honorable body, and we think that ours is a just cause. We are only asking for a very little. Heretofore we have sent innumerable petitions and memorials to the State Department, to the President, and to others, but have received no answer or recognition except in one letter addressed to Charles Raynard, from the Secretary of State, in which he said, in part, as follows: "The island is subject to the control and government of the Republic of Cuba, and you and your associates are bound to render obedience to the laws of that country so long as you remain on the island." The truth of this statement we deny, and we think that the facts will fully support our contention. We only beg that the Senate investigate for itself, through a proper committee, and we guarantee to furnish any quantity of evidence that we are right in all that we have asked for.

We also beg that measures be taken to have the War Department resume its control over the government of the island pending the settlement of its status and the question of sovereignty in order that our lives, liberty, and property be immediately placed under proper protection, and thus remove any possibility of persecutions and unforeseen troubles.

Sincerely, yours,

S. H. PEARCY.

WASHINGTON, District of Columbia, ss:

Personally appeared before me S. H. Percy, a resident of Nueva Gerona, Isle of Pines, who, first being duly sworn, deposes and says that all of the facts above stated in his above letter to Senator Morgan are true and correct to the best of his personal knowledge and belief.

Subscribed and sworn to before me this 22d day of May, 1906.

[SEAL.]

ANNA M. ANDERSON,

Notary Public, District of Columbia.

Mr. FORAKER. I should like, before the paper is passed by, to have the Senator tell us what is in it. I do not know what is in it, and it is almost impossible to go back and read long communications in the RECORD the following day when we are being pressed so by other matters.

Mr. MONEY. If the Senator from Ohio will allow me, I think it had better go in the RECORD, as the Senator from Alabama requests. It can not do any harm, and there may be some information in it.

Mr. FORAKER. I do not object at all to its going into the RECORD. The only thing I asked of the Senator from Alabama was if he would not state something about the nature of the paper. I do not ask to have it read. That would take up a good deal of time.

Mr. MONEY. That would take up a good deal of the time of

the Senator from Alabama, which he says he wants to use in stating his case. I hope the paper may be published in the RECORD.

Mr. FORAKER. I will be satisfied if the Senator will tell us something of the nature of the paper—what is in it which is new, if anything; that is all.

Mr. MORGAN. I now present four letters written by the same party, whom I do not know; I have not the honor of her acquaintance. But the letters will explain themselves and the motive of their having been written, and I think they will show that there pervades in the Isle of Pines about as high a sentiment and about as keen a sense of propriety as can be found in almost any community in the United States.

Senator MORGAN,

The Senate of the United States:

Noting that you are a champion—

I beg pardon for reading that word here—

for a just settlement of difficulties in the Isle of Pines, I take the liberty of addressing you upon the subject. Your proposition to send to the island a committee of investigation is most fair, and I hope it may be acted upon favorably and immediately by the Senate. It will be cordially approved by the Americans who have homes on the Isle of Pines. They wish the true conditions to be known. They have tried again and again to get some leading journals of the North to publish, as a mere piece of justice, their "side" of the situation, but all in vain. Most untruthful statements as to the assurances given by the Government to investors during General Wood's rule at Habana have had to go uncontradicted, as have absurd assertions pronouncing the island "worthless except for grazing purposes."

I inclose some general notes upon the subject. They are probably unnecessary, but I think they can at least do no harm. I write from personal knowledge, having spent several months upon the placid, fruitful Isle, exploring it and noting conditions.

If I can serve you by any further communication as to the Americanized island, I shall take pleasure in doing so.

I am, very truly,

(Miss) GERTRUDE E. WALL.

1406 L STREET, WASHINGTON, March 26, 1906.

Amongst the inclosures which this lady sent to me is a transcript of the indorsement of the Commissioner of Public Lands upon a map of the United States published by order of Mr. McKinley, in which he asserted that the Isle of Pines was the property of the United States, and then there is another statement in which she gives the area and the productions tabulated, both of which I will ask to have inserted in the RECORD.

The papers referred to are as follows:

MAP IN THE NEWBERRY LIBRARY, CHICAGO.

Date, 1900. Gift of Hon. H. S. BOUTELL. Date, "12, 29, 1902." Inscription: Department of the Interior, United States General Land Office, Hon. Binger Hermann, Commissioner. United States and Territories and Insular Provinces.

Compiled from official surveys of the General Land Office and other authentic sources.—Harry King, C. E.

Philippine Islands.

Guam.

Hawaiian Islands.

Pine Island.

Porto Rico.

[NOTE (by Miss Wall).—Is there not governmental encouragement in a map issued by the Department of the Interior, with an inscription such as this, and a definite arrangement of "possessions?" This map sent broadcast over the country, is, I believe, not the only publication of the kind.]

SOME OF THE PRODUCTS OF THE ISLE OF PINES.

Cocoa, cotton, corn, coffee, coconuts, cane, bananas, limes, oranges, lemons, grape fruit, figs, olives, guaras, pineapples, custard apples, rice, melons, maumee, breadfruit, grapes, strawberries, mangoes, kumquats, sapodillos, English walnuts, citron, etc.; potatoes, onions, tomatoes, okra, cassava, etc.; sea-island cotton, tobacco, India rubber.

N. B.—Two or three crops to the year.

N. B.—The island is below the frost line. It has no volcanoes. It has no wind storms. It has never had (as yet) a case of yellow fever. It has cool nights. It has a mingling of mountain air and sea breezes. It is a land of pines and palms. Its present development—a mere beginning of possibilities—is due entirely to American energy and capital.

Mr. MORGAN. The next letter which I shall read is from the same lady. Although I have the consent of the lady to read this letter in full to the Senate, I have thought it was better perhaps to keep her out of contact with a certain question she suggests here and in regard to which she sends some testimony. So I omit that part of her letter.

MARCH 21, 1906.

DEAR SENATOR MORGAN: To the packet left yesterday for you at the Senatorial post-office, I think the inclosed clipping should be added. The tobacco question is of no interest to me, but I believe it is an important factor in the present Cuban-American controversy. The clipping is from a paper of influence in trade.

It is a paper called "Tobacco." Without reading it I will insert it at this place in her letter:

LAY BLAME AT THE TRUST DOOR—IT IS STRONGLY HINTED IN WASHINGTON THAT IT WAS THE TOBACCO COMBINE THAT CAUSED THE AMERICAN FLAG TO BE HAULED DOWN IN THE ISLE OF PINES.

[Special to Tobacco.]

WASHINGTON, December 26, 1905.

The fight which will be made at the present session of Congress to have the Isle of Pines declared a part of American territory by the rejection of the treaty with Cuba, which makes it a part of the territory

of that Government, will be as vigorously prosecuted as the representatives of the 1,200 or 1,500 Americans on the island are capable of. The stories of Cuban misrule, to which the Americans on the Isle of Pines are subjected, sound like tales from the middle ages.

Secretary Root recently announced in emphatic terms that the Isle of Pines was the territory of Cuba, and that any attempt to set up a territorial government under the United States would be justly regarded by Cuba as action calling for the exercise of governmental authority to suppress. Secretary Root was thus carrying out an entirely new policy of the United States Government toward the Isle of Pines.

The American Government seems never to have had any doubt as to the sovereignty of the Isle of Pines until within a year or two ago. The treaty of Paris, through which all our difficulties with Spain preceding and resulting from the war of 1898 were settled, provided for the cession to the United States of the Philippines, Porto Rico, "and other islands," in the neighborhood of Cuba.

The minutes of the conference between the American and Spanish envoys prior to the adoption of the treaty show clearly that the intention was to cede the Isle of Pines to the United States. When one of the Americans objected to the payment of \$20,000,000 for the Philippines, one of the Spanish envoys called attention to the fact that, while we were not getting Cuba, we were getting not only the Philippines, but Porto Rico and also the Isle of Pines.

The War Department recognized the Isle of Pines as American territory. A citizen of the United States wrote the Department in August, 1899, for information concerning the sovereignty of the Isle of Pines. Captain Pershing (now Colonel Pershing) wrote him, by direction of the Assistant Secretary of War, that the island was the territory of the United States, under the terms of the treaty of Paris, though it was at that time a part of the Department of Habana for purposes of administration.

Captain Pershing also inclosed his correspondent a copy of a pamphlet prepared by the Department exploiting the resources and advantages of the island for the purpose of inducing Americans to locate there.

Americans did locate there, acting on the assurance that the island was American territory. Some forty families from Iowa went to the Isle of Pines, bought land, set out their orange and banana groves, and some of them began the cultivation of tobacco.

This tobacco, it is claimed, was the starting point of all the troubles that have since befallen the band of Americans who have settled in the island under the assurance that the Stars and Stripes were hoisted and were not to be hauled down.

The War Department, acting under the orders of President McKinley, was at that time assuring Americans that the Isle of Pines had become ours by the treaty of Paris, and was inducing Americans to emigrate and begin the development of the resources of the beautiful Isle.

But the tobacco trust already had its representatives in Cuba engaged in trying to buy up all the land suited to the cultivation of the world-famed Habana tobacco—the celebrated Vuelta Abajo—the finest variety of the weed known to man.

The trust was busily absorbed in its work, and while it succeeded in getting a good deal of land it never obtained control of the tobacco output of Cuba. There were men in the trust, however, who deluded themselves with the idea that they were going to be able to monopolize the growing of fine tobacco in the island of Cuba. While this dream was upon them some one asked: "How about the Isle of Pines tobacco?"

This was followed by whispers in the ear of the trust magnates that there were large tracts of land in the Isle of Pines upon which tobacco as fine as any produced in the Vuelta Abajo district could easily be grown.

This caused some of the trust men to promptly tender their resignations from the Don't Worry Club. They feared that their carefully planned schemes were about to miscarry, and that their efforts to secure control of the production of Habana tobacco, on which they had been engaged for years, and which it had up to then seemed to them were about to succeed, were doomed to failure if the Isle of Pines should be declared American territory. It was perfectly clear the tobacco grown on the Isle of Pines would have no duty to pay on being brought to the United States, while the Cuban tobacco would of course be subject to the usual tariff charges of \$4.50 a pound and 25 per cent ad valorem for wrapper leaf and 35 cents a pound for filler. The trust seems to have accepted at their face value the claims that the tobacco grown on the Isle of Pines would be in every way equal to that produced in the Vuelta Abajo district.

Just what steps the trust took to protect itself against the Isle of Pines tobacco of course may not be said with certainty, but it has been asserted frequently, and is being asserted to-day, that it is due to the influence of representatives of the trust and the powerful lobby which it constantly maintains in Washington that the Administration decided to haul down the flag on the Isle of Pines.

It is not believed, of course, that President Roosevelt had the slightest suspicion that the trust was in any way interested until the Administration had been definitely committed to the purpose of relinquishing the Isle of Pines.

The American colony on the Isle of Pines is in the meantime suffering greatly because of the relinquishment of the island by the United States Government. Its members declare that conditions on the island under Cuban administration are unbearable. Latin-Americans have not the faculty for governing Anglo-Saxons, and Anglo-Saxons have not the faculty of submission to Latin-American rule.

The President and the Secretary of State are said to be firmly fixed in their determination to give the island to Cuba. But there are Senators who are bitterly opposed to transferring the Isle of Pines to Cuba, after it was made ours by solemn treaty with Spain, and after many Americans had been induced by our Government to go there and invest capital in the development of the wonderful resources of the island.

The Isle of Pines is about 30 by 40 miles in extent and contains the finest harbor in the Spanish Main. If the Americans have to leave, as they will if the treaty is ratified, it will be a long time before the development of the resources of the island is undertaken with any degree of energy.

If the Isle of Pines is finally given over to Cuba, President Roosevelt will have the unenvied distinction of being the first President of the United States who ever ceded American territory to a foreign nation, either at the behest of a trust, or for any other reason.

My correspondent continues:

I hope I shall not weary you in adding some bits of information to the details given in my late letter.

The Cuban rule is complained of as nagging and irritating rather than openly oppressive. As administered at present, it is, as I have

said before, under restraint. The Cubans have a jealous dislike for Americans, and, once secure in power, it is believed they would be oppressive in many ways. Let me cite some instances of petty tyrannies now prevailing:

No Protestant clergyman is permitted to perform a marriage ceremony; restrictions are imposed as to social gatherings; secret organizations, especially Masonry, are positively forbidden; and in cases of illness a Cuban doctor must be summoned, if not as sole physician, at least as a consulting one. I think Americans quietly disregard this last law, but should anyone die under the care of an unaided American doctor the bereaved family would be punished by an offended government. The mortuary laws are especially unbearable. It is scarcely safe for an American to die. Public autopsies must be held, and it is only when necessity pushes aside the law that Protestant dead can be buried.

I will stop here to remark upon that statement that I will produce evidence to the Senate that when an American has died a natural death in Cuba the rural garde, the authorities, come and drag him out of his house and carry him to the market place and cut him up like a dead hog to see whether he died a natural death.

Fortunately, thus far, the Americans have been practically immortal. I think there have been but three deaths since the American occupation of the island, and two of these were the result of accidents.

Just now American indignation is running high over Cuban injustice in a transportation matter. The steamship *Campbell*, an American vessel plying between Batabano and the ports of the Isle of Pines, becoming infirm, a new boat was last year decided upon. An order was sent to New York, and the boat is now ready for service. In it the citizens of the Isle of Pines invested \$50,000. And now the Cuban Government declares that it must be transferred to Cuban ownership before it can go into service. As I understand, the new steamship is lying idle on the Cuban coast. Is not this an outrage? For the travel between the islands—Cuba and the Isle of Pines—there would be to-day only sailing vessels had it not been for American money and resolution. And now, after having had the expense and trouble of equipping a modern steamship, the Americans are asked to deliver it to Cuban ownership and management. It would seem that the Habana government had grown sure of holding the island and was now beginning to show its real policy as to rule.

I spoke of the judge at Nueva Gerona as conciliatory in his treatment of Americans. It remains to add that this gentleman has lately been transferred to Cuba and an uncompromising and otherwise undesirable official sent over in his stead. Judge Diego was probably deemed too lenient in his methods for an Isle of Pines position.

I spoke of a sponge industry within the island's maritime limits. Americans who have looked into this matter assert—and claim to be conservative in their estimate—that if the United States were willing to pay Cuba \$10,000,000 for the Isle of Pines, as a peace offering, the sponge industry alone would return the investment in less than twenty years.

That is not imagination; that is a fact.

Owing mainly to the mild northern winter the Isle of Pines has this season had a smaller tourist invasion than during previous winters, but I am told that more land has been bought, and more improvements have been made, than in all the previous winters combined. There are a number of large fruit plantations, but much of the improvement goes on in small tracts. Those who have not the means to buy plantations or farms are buying lots and developing them. The old Spanish village of Santa Fe—now the American center—is raying out into a regular system of American streets and parks. One of the parks is to inclose and protect a magnificent Spanish laurel—a tree whose branches have a diameter of more than 100 feet. A fine mango grove on a knoll is sacredly held against any price for a second park. A new and handsome bath house is also projected. Town fathers and general citizens are working together, and, despite the political tangle in which the island is involved and the trade and travel interruptions caused by quarantine measures at Habana, they seem, from all accounts, enthusiastic in what they are doing. Building, clearing, planting, and planning are everywhere going on. The belief reigns that the home land can not and will not consign the owners of four-fifths of the island and authors of all its development to the domination of a race which, with a few individual or family exceptions, has primitive ideas in its head and colored blood in its veins.

I hope I have not presumed upon your patience in adding to my letter of yesterday. Should you wish further information I shall be glad to give it either in person or by pen. I am far from all sources of fresh supply, but after some correspondence, I may have some points of importance to submit. Meantime, of this I am sure—the Americans of the Isle of Pines are anxious for the investigation you propose. It is all they just now ask, and justice demands that it be granted.

I am, very truly,

(Miss) GERTRUDE E. WALL,
1406 L street NW.

The third letter from that lady, which I will read, is as follows:

1406 L STREET NW.,
April 7, 1906.

DEAR SENATOR MORGAN: The morning post has brought me a resolution, which I herewith promptly transmit to you. Surely the senior Senator from Illinois does not well serve, in the matter of the Isle of Pines, the wishes of the legislative body to which he is much indebted. The document comes from the secretary of state at Springfield. Please use it to the best possible advantage.

The resolution of instructions which I have here, reads as follows:

Resolution adopted by the senate of the State of Illinois May 5, 1903, and concurred in by the house May 7, 1903, that the Isle of Pines be permanently retained as territory of the United States.

ISLE OF PINES.

Whereas more than 300 American citizens now residents of the Isle of Pines, said American citizens owning more than one-half of the total territory of said island, have memorialized Congress for relief from the present government of the said Isle of Pines and are praying that the island be retained by the Government as a part of the territory of the United States; and

Whereas the United States Government continued the present government of the said Isle of Pines as a de facto government to formulate a new and better government for the island until the island of Cuba was turned over to the Cuban Government; and

Whereas the Isle of Pines was ceded to the United States Government by Spain and the Platt amendment omitted the said Isle of Pines from the proposed constitutional boundaries of Cuba, and the Secretary of War for the United States has placed the Isle of Pines within the constitutional boundaries of Cuba contrary to the wishes of the Americans there resident; and

Whereas the said 300 American citizens are colonists from the United States who have built permanent homes and made other improvements on said Isle of Pines in the reasonable belief that it was to continue to be territory of the United States, and such American citizens are entitled to the protection of the United States Government and desire to live under the flag of this country: Therefore, be it

Resolved by the senate of the forty-third general assembly (the house concurring herein), That it is the sense of the general assembly of the State of Illinois that the said Isle of Pines be permanently retained as territory of the United States.

Resolved further, That the secretary of the senate and the clerk of the house be, and they are hereby, instructed to forward to the United States Senators and Congressmen from Illinois a copy of these resolutions.

Adopted by the senate May 5, 1903.

Concurred in by the house May 7, 1903.

The letter continues:

The three years that have passed since its date only add to its force, as, in that time, American area and population have greatly increased.

I send also some notes which may add clearness to those in your possession. A brother, now in Chicago, lately came from a winter's stay on the Isle of Pines, has this week furnished me with the material for these notes. From my brother who lives on the Isle I have not yet had time to hear in reply to inquiries as to the latest phase of conditions there.

After consideration, I have decided to remove any restriction whatever as to the use of my name in connection with the information lodged with you. I am sure you will not give it any unnecessary use; so I say, hold back nothing that promises to help a good cause. Give my name when the authorship of any statement I have made is demanded. I am not in the least afraid of truth. I mean especially to recall my request for reticence as to the sender of the clipping from Tobacco, should any need arise for giving the sender's name. It will be sufficient to say, I imagine, that the clipping was a part of a miscellany collected in making a general study of the island. In sending it to you for use, my feeling was that if it was false, its falsehood could be proved, and that if it was true, its truth should be made to serve the right. I am not given to speaking evil of dignitaries, but I must add that in announcing, as he did last summer, a Cuban ownership for the Isle of Pines, I merely voice the opinion of many in saying that the Secretary of State was guilty of a great discourtesy to the Senate as the sole treaty-ratifying power.

I wish some way might be found to satisfy Cuba's claims—built up by delay and nonacquaintance with real conditions on the part of the United States. She has cared nothing for the little island until recently—until Americans had developed it. The tone in Habana, I observed last spring, was one of more or less open contempt for the island either as a resort or a residence, but Habana has now had time to change her mind, and she has been encouraged to make claims. And so I say, I wish there could be some way found to pacify her without doing a cruel injustice to an Americanized island. Let, at least, the decision be delayed until the island can be visited and the situation fully understood by the deciding body. This is what every American on the island is hoping for to-day.

I am, Senator MORGAN, very truly, GERTRUDE E. WALL.

The notes that accompany the letter I will not stop to read, but I ask to have them inserted as a part of her letter. They are very highly instructive.

The matter referred to is as follows:

The Isle of Pines (Isle de Pinos), discovered by Columbus in 1493 and named by him "Isle de Evangelista." Area, 1,240 square miles, or 800,000 acres.

The northern part, 600,000 acres, is owned principally by Americans. It is a natural fruit orchard and a vegetable garden. The southern part, the Cienaga, or marsh land, is rich in rare woods, as mahogany and many other varieties, admitting of high polish. Its wealth has scarcely been touched.

Temperature: Mercury seldom above 90°; mercury seldom below 60°; average, 74°.

Seasons: Dry season, November to April (season for vegetables and tobacco); wet season, May to October (fruits, cane, corn grow and ripen throughout the year).

CONCERNING THE ISLE OF PINES.

Cuba has in her statute book a large number of laws, inherited from Spanish days, which correspond in a general way to the old blue laws of New England. As the enforcing of these petty laws is left optional with local officials, it can easily be seen how intolerable life may be made for Americans by jealous and hostile officials. These laws relate to small things, but it is the small things that count in the sum total of daily living. At present—under Cuban half-government—the force of these regulations is heavy upon the island. All public meetings of every character and every public enterprise must secure in advance a permit from the Cuban Government. Not even a private school can be opened until Habana has agreed to it.

As the natives have sold their lands they have, with few exceptions, removed to Cuba; and thus the native population is now much smaller than at the beginning of the American occupation of the island.

Recently in view of the clashing statements made in newspapers as to the number of the natives and the number of the American settlers the island really contained, an honest census was attempted. The work was promptly stopped by Cuban officials and the canvassers arrested. The inquiries were informal, no authority was asserted, and no other object was in view than to reach the truth in a disputed matter.

Until lately Cuba regarded the Isle of Pines as American territory, and so the American steamer, the *J. J. Campbell*, was entered and cleared at Batabano for trade with the island as a foreign vessel bent on foreign commerce. Of late, becoming sure that the island was to be declared her property, she has begun to assert a point of marine law for home coast trade, viz, Cuban ownership for all craft so engaged. In consequence the new steamer upon which the citizens of the Isle of

Pines have expended some \$50,000 and a great many hopes lies tied up somewhere under Cuban guard. The *J. J. Campbell* is now confronted by the same maritime requirement as to home commerce, though, as yet, it is allowed to struggle along with its biweekly trips.

While representing the United States Government at Habana, General Wood repeatedly declared, in answer to delegations of prospective investors sent to him to inquire as to the future of the Isle of Pines, that the island would remain in American possession; and, at a banquet given him in Habana a few weeks before the end of the American protectorate, he publicly announced his intention of setting up an American de facto government upon the island.

The seaport called Jucaro has no other buildings than those needed to load and unload merchandise, and these are relics of a shiftless past. Looking forward to a great sponge industry, which, under modern management they believe would soon rival that of Batabano with its \$1,000,000 or more of yearly yield, the Americans have "planted" a town at this port, and plan its early development.

An American company has established a schooner line between Nueva Gerona and Mobile. This line is now one year old.

The young orchards of the island are now beginning to bear for export, and large shipments of fruit are projected. The seizure of the new steamer threatens serious loss to shippers, as the *Campbell*, owing to long and unrelieved travel in tropical waters, is slow and uncertain in its movements. The schooner line will be of great service—if not presently confiscated—but a direct trade with New York is the thing chiefly desired.

Mr. MORGAN. The next letter, from the same authoress, which I will read is as follows:

Dear Senator MORGAN: A letter just received from the Isle of Pines gives me some present-day items, which I herewith submit to you.

Let me remind you, of what you must know, that things governmental are in such a shifting state on the island that what is absolutely true one day may not be entirely so the next. This will explain any modifications as to previous statements you may find in this communication or in any other I may make.

After writing to you my personal observations made on the Isle of Pines one year ago, I wrote to my brother, who lives at Santa Fe, asking for additional news or for any changes of rule that might be taking place. I inclose an extract from his reply. He tells me, moreover, that within the last month—and for the first time on the island—the Protestant marriage ceremony has been celebrated. This came about through a special permit from the Cuban Government. As to Masonry, he says it is still forbidden, but as lodges flourish in Habana, a permit may, in time, be granted for organizations on the Isle.

He also announces the arrival of a new island judge, the third of the line, from whom a good administration is expected. He thinks the transfer of Judge Diego, the friend of the Americans, was a recognition of his legal worth, not a rebuke for a lenient course at Nueva Gerona. He was sent, it seems, to Mantanzas, a city of 35,000 inhabitants, where, naturally, his salary would be increased as a result of the transfer.

My brother chronicles the recent death of the Cuban postmaster at Santa Fe, a Doctor Lancis, who, as I wrote some days ago, was universally complained of by the Americans under his reign, and adds: "The office has passed into the hands of a young Cuban girl, who probably will do the best she can, but we shall be pleasantly disappointed if the mails are not very badly handled for a long time to come."

I have not yet learned just how and when the calzadas—

Those are the public roads—

were constructed, but of this I am assured by those who have good reasons for knowing the truth of the statement—they are kept from falling into ruin by American money (self-levied) and volunteer work. I had been led to infer that they had been built under American military rule, but I am now told that an intelligent Cuban living on the island declares that the work was done under English contract and was paid for by port revenues. The history of the island is such a blank from pirate days down to four or five years ago it is difficult to find the truth as to any occurrence antedating, even by a little time, the coming of the American settlers.

In concluding, I wish to say that your resolution relating to a personal investigation of the Isle of Pines and its conditions seems to offer the only fair way of arriving at a settlement of the vexed question. As I was about to leave the island a year ago, I heard the approaching visit of a United States Senator announced with certainty and no little hope. He had promised to come, he might arrive on the next steamer, and he might bring another Senator with him. This visit was eagerly looked for as a means of reaching Washington with the actual conditions as to American development and Cuban rule; but no Senator appeared. And, if I mistake not, up to this day not a single member of the United States Senate has set foot upon the island. Is it possible that this legislative body, devoted to careful deliberation, is going to decide an important question on outside testimony only?

I hope, Senator MORGAN, your resolution may be adopted and so allow opportunities for an impartial investigation before voting upon the fate of the island. After that I have nothing to urge. I wish a just decision, however it may result.

My brother is, as you may note, as anxious as I am to give facts only in the pro-American cause. I am,

Most truly,

GERTRUDE E. WALL.

APRIL 16, 1906.

Mr. President, I have brought forward the letter addressed to me by Mr. Percy and these letters addressed to me by this lady whom I have never had the honor of seeing and do not know personally, for the purpose of showing that the spirit of the people there is not an unjust spirit; that the temper in which they look at things is not distorted by covetousness or by any other feeling than that of seeing absolute justice done to the people of the United States.

I have here, sir, a bundle of letters that I will not think of reading to the Senate at this time. It may become necessary to read them at a future time. But I have also statements of various cases that have occurred in the Isle of Pines, to which I wish to make some reference before I close what I have to say in this discussion.

There is a point of time and there is a concurrence of circumstances about this business that trouble, that puzzle me. In the letter which I have had read at the desk to-day and in other papers which I have that prove it beyond question, it is stated that a very intelligent, able committee of gentlemen, men of worth, merit, in every respect, finding that the Government of the United States was going to yield its military control of Cuba, and give to it the functions of government, went over to Habana to interview Gen. Leonard Wood to see what disposition would be made of the Isle of Pines.

They conceived that the Isle of Pines had been conveyed directly to the Government of the United States by the treaty of Paris; that there was no question of geography in it at all; that it was a question merely of being an island, Cuba being named and no other island being named, except Porto Rico. In the whole vast sweep of territory that we acquired under the Paris treaty, those are the only two islands named, one—Porto Rico—ceded to us absolutely, and the other ceded to the United States as, I might say, in a sort of political trust, that they would hold the island and govern it by act of Congress, fixing the rights of the citizens of Cuba by act of Congress of the United States, and that when they came to abandon the governmental control on the part of the United States they would in that instance and for the very first time create a people in Cuba known as a people within the definition of international law, a people assembled together and organized for purposes of government under lawful authority.

Up to the time of the passage of the Platt amendment and the conformity of the Cuban Government to that amendment in its constitution and in other respects, there had been no such people as the people of Cuba. We may speak of any islanders as the people of a certain island. We may speak of the Hawaiian islanders to-day as the people of the Hawaiian Islands, not in the sense of the government, but in the sense merely of characterizing the population. In that sense Cuba had a place in the world. She had even more than that. She had to a limited degree and for a very short time the powers of municipality in her different departments, with the right of representation in the Cortes at Madrid, in Spain; and those representatives were chosen by elections, and certain people were entitled to vote for them. But as "the people of Cuba," entitled to have or receive any powers whatsoever, they did not exist in that character at all, and could not exist until the Platt amendment had made it possible by an act of the Congress of the United States.

Prior to the passage of that act, and certainly prior to the ratification of the treaty of Paris, all the people in Cuba were subjects of Spain, and the United States never contradicted it. The United States refused to recognize the independence of these people. It refused even to concede to them belligerent rights during the civil war or in our war with Spain. I was here, along with other Senators, trying to get for them the acknowledgment of the rights of belligerency while the war was going on. The Senate voted it down whenever it was presented. They were not recognized as anything else except as being subjects of Spain, some of them, alleged to be in a large minority, in a state of insurrection.

So these people in the island of Cuba, or these people of the island of Cuba, had no sort of governmental recognition until the Platt amendment was passed. They got their governmental organization and recognition or power to organize exclusively and entirely from the Platt legislation.

In the very act of creating them a people we circumscribed their limits. In what way? In the most pronounced way that was possible. In a constitutional ordinance which required them to put into their constitution a solemn declaration whereby the Isle of Pines was expressly excepted and excluded from the island of Cuba. That was our requirement. That was the condition upon which they were elevated to that state where they could become a people and exercise the powers of government. They adopted it. It is the law yet, the constitutional law of Cuba. The Isle of Pines is fenced out from that island, segregated, and separated, geographically and in every possible sense.

When that was done, Mr. President, where did this island go? Somebody owned the Isle of Pines. Who was it? It was not Cuba, because she had declared in her constitution that she did not own it and had no jurisdiction over it. Then it either reverted to Spain or it passed to the United States under the treaty of Paris, as other islands in the West Indies. There is a fact, not a problem, that does not admit of doubt or disputation. A schoolboy would have a ferrule put heavily in the middle of his hand who should stand up and say that he could not understand it. It is the plainest proposition in the world.

Now, I could rest the case right upon that proposition. The

first proposition I rest it upon is the terms of the treaty before the Senate, which asserts title in the United States. The second proposition is the constitution of Cuba, which we imposed upon them under the Platt amendment, and expressly excluded the Isle of Pines from the constitutional boundaries of Cuba. How did that ever happen? Cuba or some Cubans, some Spaniards in Cuba, who were never any more reconciled to us than the devil is to holy water, and are not to-day, insisted that the island of Cuba embraced everything around there and that all come to them, and they were making their insistence in such shape as indicated that the first thing we might know these fellows would head a new rebellion and require us to go down and shoot some of them before we got their consent to keep the peace, while accepting the boon of independence, which they never wanted.

What, then, was the law? What was done? That wise man from Connecticut, Senator Platt, who had the management of this matter, wrote into his amendment, "You must declare in your constitution that the Isle of Pines does not belong to Cuba." And so they wrote it. And what are we doing now except that we are trying to repeal that declaration by intendment, by some trick of logic, or some other sort of a trick that has perhaps less logic in it than almost anything else you could mention. What we are here to-day trying to do is to get around the declaration we imposed upon Cuba. In the very moment of her birth, when she first acquired the possibility of owning and possessing any right of government at all, she was loaded down with the constitutional restriction, "You shall have no right of government in the Isle of Pines. It is none of your business where it goes to. We have not asked you where it goes to, or to make any provision that the United States should have it. That has been provided for in the treaty of Paris, under which we got the right to hold you, and let you go as soon as we chose to open the cage and let the bird take wing."

There is the situation. Mr. President, it is too plain, too obvious, too imperative for this generation of men to excuse the Senate of the United States in passing it over as idle talk, as a mere suggestion. To coming generations our reputations will go down smirched with some odious imputation connected with this business if we undertake now through a false sentiment of altruism, or sympathy, or prejudice, or passion, or some previous pledge, hid away from the observation of the people, or the expression of some opinion on the part of some distinguished Senator, to throw away a valuable island in the Caribbean Sea, where our people have gone to the number of 2,000 and have spent their money and their time, not only under the interpretation of the United States in regard to the meaning of the Cuban constitution and of the Paris treaty, but they have gone there under an invitation of the Government.

I hold in my hand, and I have had printed as a document, for the use of the Senate, a pamphlet put out by the Bureau of Insular Affairs of the United States Government in 1902. It is the finest prospectus I have ever yet seen published by a party that desired to have his lands occupied by settlers. This matter, issued from the Bureau of Insular Affairs in 1902, was circulated by the hundreds of thousands amongst the people of the United States, and no man who reads it can find a hint or an intimation in it that the United States is not the owner of that island. Why was the United States advertising this property in this full, complete, and scientific way unless it was to inform the people of the United States that there was a place where they were welcome to go that had been provided by the benevolent foresight of that great Administration of Mr. McKinley? That was President McKinley's proposition. That was his work. That was his decision. Orville H. Platt agreed with him—I have his letter here to show it.

The people of the United States went there under Mr. McKinley's proposition and invitation. That policy changed in an hour. It changed when Gen. Leonard Wood concluded he had some power as a military commander to fasten the type of a de facto government upon an island where the United States had supreme jurisdiction; that he had power to drive out the supreme jurisdiction of the true, lawful government and by his ipse dixit as a military officer, to establish there a de facto government; and not merely to establish a de facto government, but to haul down the American flag and put the Cuban government in the possession of its power and authority.

How did the government of Cuba get the power to pass over the constitutional limitations that were imposed in its own constitution by the Platt amendment and go down to the Isle of Pines and hoist its flag there as the owner of that property? What did Gen. Leonard Wood do by that simple military decree of his, except to defy the constitution of Cuba, the laws of nations, and the laws of the United States, and of justice,

public and private, and by his own pledged word which had sent these people into the Isle of Pines under deception.

Right there is the rub; and right there, Mr. President, is the trouble about getting this committee. That is the sore spot. They are afraid if ever a committee of this body goes down there and commences an examination, they will find reasons for that particular military abuse and outrage. That is what they will find, I have no doubt, and that is the reason of this shrinking and holding back in regard to sending a committee of the Senate there when everybody is petitioning for it. Even the innocent and elegant young women of the country, who know about the condition of the island, have had their sympathies aroused, and their interest excited, and their antagonism awakened by acts of injustice such as have been stated here. Under this de facto government a man could not be buried without the consent of Cuba. He could not be married without the consent of Cuba. Marriages in the Isle of Pines, except with the consent of the government, were forbidden. They could not organize a Masonic lodge there without the express consent of the Government of Cuba. They could not have personal, social meetings without the consent of the Government of Cuba.

This is what this infamous, despicable government de facto that General Wood set up there has inflicted upon those people. Here were two old men who had gone there to spend the evening of their days. Unfortunately perhaps, and yet for their glory, they were ex-Confederate soldiers. They had no family. One of them, after laboring very hard there planting out a little orchard, was taken sick in his tent and died. The people of the neighborhood, all Americans, gathered in there, and in their kindness, generosity, and friendship, full of sympathy and love, they sadly prepared a grave and a coffin and gave him decent Christian burial.

That night a lot of negroes, called the rural guard, were sent down, 21 miles from Nueva Gerona, by the alcalde there, to order that man to dig up the body of his brother and carry it to a consecrated graveyard to be buried. They came there at night and found the poor old brother in a state of prostration because of the loss of his lifelong companion. They said to him, "You must take up this body and carry it to Nueva Gerona and bury it." "Well, I am not able to do it. I can not do it. I could not ask my brethren here in the neighborhood to do it; they are not able; it will have to remain." Thereupon the next morning came back that rural guard. They exhumed the body, took the coffin and put it on a cart and hauled it to Nueva Gerona, and it was followed by a battalion of buzzards to its last resting place. It was dumped into consecrated ground in the potter's field. His old brother soon joined him in their eternal sleep. That is de facto government under the Wood ordination in a place from which he hauled down the American flag without authority. I denounce it. My soul revolts at such outrages.

There is no old Spanish law that has been the scourge of the people that has not been hunted up from its place of hiding, awaiting the hours of revenge upon true civilization, that is not applied by the Cuban Government, through the authority of this infamous government de facto.

The VICE-PRESIDENT. The hour of 2 o'clock having arrived—

Mr. MORGAN. I will simply remark that I will take the floor to-morrow and present half a dozen, or, at least, three other cases, one that of a gentleman—a man, I call him now—from Ohio, who is in the penitentiary suffering with long imprisonment there for no offense in God's world except refusing to be arrested by a negro for the nonpayment of an arbitrary and unlawful tax assessed by Cuba.

The VICE-PRESIDENT. The hour of 2 o'clock having arrived the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 6191) to provide for the construction of a sea-level canal connecting the waters of the Atlantic and Pacific oceans, and the method of construction.

Mr. KITTREDGE. I ask unanimous consent that the unfinished business be temporarily laid aside.

The VICE-PRESIDENT. The Senator from South Dakota asks unanimous consent that the unfinished business be temporarily laid aside. Without objection, it is so ordered.

Mr. LA FOLLETTE. Mr. President—

Mr. MORGAN. I hope that is not done for the purpose of carrying on this argument, because I have spoken very much beyond my time to-day, and I am exceedingly fatigued. I hope the Senate will excuse me from going on to-day. We have time to consider this and every other matter connected with the Isle

of Pines. If the Senate will kindly excuse me to-day, I will take the floor at a convenient hour to-morrow morning.

The VICE-PRESIDENT. The Senator from Wisconsin is recognized.

Mr. MORGAN. I ask of the Senate that the resolution may go over, keeping its place, until to-morrow morning.

The VICE-PRESIDENT. The resolution will go over, retaining its place on the Calendar.

EMPLOYERS' LIABILITY BILL.

Mr. LA FOLLETTE. I ask unanimous consent to call up House bill No. 239, which was under consideration yesterday.

There being no objection, the Senate resumed the consideration of the bill (H. R. 239) relating to liability of common carriers by railroads in the District of Columbia and Territories, and common carriers by railroads engaged in commerce between the States and between the States and foreign nations to their employees.

The VICE-PRESIDENT. The pending question is on the amendment proposed by the Senator from Virginia [Mr. DANIEL] to strike out the proviso at the bottom of page 2, in section 3, which will be read by the Secretary.

The Secretary read the proviso, as follows:

Provided, however, That upon the trial of such action against any common carrier the defendant may set off therein any sum it has contributed toward any such insurance, relief benefit, or indemnity that may have been paid to the injured employee, or, in case of his death, to his personal representative.

Mr. LA FOLLETTE. Mr. President, I believe the amendment proposed by the Senator from Virginia [Mr. DANIEL] should not be adopted. It proposes to strike out the proviso in section 3, which gives credit to the railroad company in any action brought against it for any sum that it may have contributed toward any insurance, relief benefit, or indemnity paid to the injured employee, or, in case of his death, to his personal representative. I know that those who have given some investigation to this subject in the interest of the railway employees are fearful that it might invalidate the law if the provision were stricken out. Besides, it seems just that any railroad company which has paid a certain amount of money as insurance or indemnity for an injury received should, in case of an action brought for that same injury, be credited with the amount so paid.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Virginia [Mr. DANIEL].

The amendment was rejected.

Mr. LA FOLLETTE. Mr. President, I wish to offer an amendment, which I send to the desk.

The SECRETARY. On page 2, line 1, after the word "none," insert "then for his parents; if none, then;" so that if amended the clause will read:

In the case of his death, to his personal representative for the benefit of his widow and children, if any; if none, then for his parents; if none, then for his next of kin dependent upon him.

Mr. LA FOLLETTE. The purpose of this amendment will be at once apparent. In case of recovery for the death of an employee, it makes the parents of the deceased the beneficiaries where the employee leaves neither wife nor child. If there be no parents, then the next of kin dependent on the employee will recover. I am certain that the amendment will commend itself to the judgment of the Senate.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Wisconsin.

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I have one more amendment which I offer.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, at the end of section 2, add the following:

All questions of negligence and contributory negligence shall be for the jury.

The amendment was agreed to.

Mr. LA FOLLETTE. I offer an amendment to the title of the bill.

The VICE-PRESIDENT. That will come in after the bill has been passed.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

On motion of Mr. LA FOLLETTE, the title was amended so as to read: "A bill relating to liability of common carriers in the District of Columbia and Territories and common carriers engaged in commerce between the States and between the States and foreign nations to their employees."

Mr. DANIEL subsequently said: Mr. President, I move to reconsider the vote by which the negligence liability bill was passed to-day. I will later state my reasons for that motion.

PURCHASE OF MATERIAL AND EQUIPMENT FOR PANAMA CANAL.

Mr. ALDRICH. I move to take up the joint resolution (S. R. 60) providing for the purchase of material and equipment for use in the construction of the Panama Canal.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution.

The VICE-PRESIDENT. The pending question is on the amendment offered by the Senator from Florida [Mr. MALLORY]. It will be stated.

The SECRETARY. In line 7 of the joint resolution, before the word "unreasonable," strike out "extortionate or."

Mr. STONE. Mr. President, I desire to occupy the time of the Senate for a short while. When the joint resolution was before the Senate on May 28 I was making some remarks with regard to it when I was cut off by the expiration of the morning hour and the withdrawal of the resolution by the Senator from Maine [Mr. HALE].

When interrupted I was inquiring as to the real purpose of the joint resolution. I had read some newspaper reports of declarations made by the Secretary of War, by members of the Canal Commission, by the chief engineer of the canal, and also some formal official utterances of some of these officials, all to the effect that under the law as it stands they considered it their duty to buy canal supplies wherever they could be bought the cheapest.

About a year ago, as everyone can remember, the President and other officials connected with the canal were proclaiming that in purchasing materials and ships for the canal they did not intend to be held up by American manufacturers and shipowners. They considered it their duty, so they said, to protect the Treasury from those who would plunder it by exacting unreasonable prices for what they had to sell. This was a remarkable position for a Republican Administration to take, and naturally it excited wide attention. But, however unusual and unexpected, it is safe to say that this expressed determination of the President to protect the Treasury received the hearty approval of the great body of the people who are to pay for the canal. The President was then in the high tide of his evanescent popularity, and although the people wondered at his utterances, they applauded him. That was true of the great body of the people.

But there were those representing special interests whose cupidity had been aroused by the millions the President had to expend, and who patriotically expected to realize enormous profits out of the materials they had to sell, who did not applaud. On the contrary, they viewed the President's attitude with indignation and alarm. Promptly they organized their forces to resist and discipline him. The "stand-patters" came swarming in from every direction, and a storm of protest was raised in every available quarter. The President's courage was put to the test, and, as usual, proved unequal to the strain. There was a great thundering by him in the index, with the customary Rooseveltian fiasco at the finish. The "Iron man at the White House" again proved himself to be no iron man at all, but only what Bismarck once declared Salisbury to be, "merely a pine lath painted the color of iron." The President surrendered, and, instead of buying canal material, as he vowed he would, as he repeatedly asserted it was his duty to do, in the cheapest market, he bought practically everything he purchased—98 per cent of the whole—at protected trust prices in America.

Let me give you an illustration of how the President signally failed to stand by his guns and to protect the Treasury. Among other things he had to purchase were two ships for the use of the Canal Commission. The prices at which American ships were offered were considered extortionate, as undoubtedly they were. The prices were practically double the price asked for foreign ships. For instance, two foreign ships of 6,000 tons each were offered for \$750,000, while the lowest price at which two American ships of similar capacity were at first offered was \$1,400,000. The President opened negotiations for the purchase of the foreign ships, but at the same time the batteries of the American shipbuilders and shipowners were opened on the President. The fight, while it lasted, was fast and furious. In speech, the President was bold and defiant; he vowed he would protect the Treasury and the people from extortion so monstrous. The papers were filled with stirring accounts of his brave front and high resolve. He was represented as being implacable and immovable.

Lay on, Macduff,

And damn'd be he that first cries "Hold, enough!"

Was the refrain that came rattling out from the precincts of the White House day after day. For a while—a very short while—it really looked as if the President, for once, at least, would stand his ground, but our hopes, alas, were in vain. He

was not equal to the task. He hauled down his flag and surrendered. Instead of buying two foreign ships of 6,000 tons each for \$750,000, he bought two American ships of 5,700 tons each for \$1,300,000.

These ships, known as the *Havana* and the *Mexico*, were purchased of the New York and Cuban Mail Steamship Company, of New York, commonly known as "The Ward Line." They had been in commission and in active service for from seven to eight years. Last December I had occasion here in the Senate to refer to the purchase of these ships and to comment on the transaction. At that time I called attention to the fact—for it is a fact that no Senator here will dispute—that it is a rule, based on experience, for shipowners to write off 5 per cent of the cost value of the ship for every year it is in active service. In addition to that, it is generally agreed that the average life of a ship's boiler plant is about eight years, and that the boiler plant represents about 15 per cent of the total value of the steamer. I called attention to the fact that these ships, the *Havana* and the *Mexico*, had been in active service for from seven to eight years, as shown by the public records. Upon the strength of those facts I then contended, as I now contend, that the real market value of these ships at the time the Government purchased them could not have been more than about 60 per cent of their value when new. In the very nature of things, tested by whatever rule, there must have been a depreciation of from 35 to 40 per cent in the value of those ships. But at that time, Mr. President, I was not able to give the original cost of the ships; that is, the price paid the builders for constructing them. Now, however, I am able to supply that information.

At the hearings had before the Merchant Marine Commission during the spring and summer of 1905 Mr. Alfred G. Smith appeared as a witness. His testimony is set out in full in volume 1 of the hearings. He testified that he was secretary and treasurer of the Ward Line, and he gave a list of the ships constituting the fleet of that line, with the dates of their construction. On page 131, volume 1 of the hearings, Mr. Smith testified:

We have two vessels of 5,700 tons each. They are 16-knot ships.

These were the *Havana* and the *Mexico*. Senator LODGE inquired as to how much they cost, and Mr. Smith answered:

In the vicinity of \$550,000 apiece; perhaps \$600,000.

So, Mr. President, we have it directly from the lips of one of the chief officials of the company for whom the ships were built, and who sold them to the Government, that they cost originally in the vicinity of \$550,000 each, or possibly, he said, as much as \$600,000 each. Here, then, we have an example of how the President kept his promise, so vociferously and repeatedly made, to guard the Treasury and the people against the inroads of plunderers.

Two English ships of larger tonnage were offered for \$750,000, but the opportunity to buy them was abandoned under pressure and two American ships of lighter tonnage were purchased for \$1,300,000, which was from \$100,000 to \$200,000 more than the ships cost the owners when they were built.

Be it also remembered that under the rule universally observed by shipowners of writing off a percentage of the value of a vessel for each year of active service these ships were necessarily worth from 35 to 40 per cent less the day the Government bought them than they were the day the Cramps, who built them, delivered them to their owners.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from New Hampshire?

Mr. STONE. Certainly.

Mr. GALLINGER. Has the Senator from Missouri taken the trouble to ascertain the difference in the cost of building ships at the present time and when these American ships were built? And does the Senator know how much that company is paying for two ships of practically the same tonnage to take the place of those ships which were sold to the Government?

Mr. STONE. I can not answer the last question. Can the Senator?

Mr. GALLINGER. I can.

Mr. STONE. I wrote a letter, I will say, to this Mr. Smith, asking him for information, and as yet have received no information.

Mr. GALLINGER. I have very correct information, which leads me to state that they are paying about \$900,000 for each of the ships to take the place of the ships they sold to the Government; and not only that, but it is a fact as to the two foreign ships that when our Government went to purchase them, they found that they were already sold, and they found no other two ships that suited their purpose as well as these American ships.

Mr. STONE. Of course I do not know from what source the

Senator from New Hampshire gets his information on which he bases the statement that the foreign ships were sold.

Mr. GALLINGER. They were sold.

Mr. STONE. I say I do not know from what source the Senator gets that information. I only know what I saw in the public press last summer as coming directly from the Secretary of War and the Canal Commission. Whether those statements are correct, of course I am not prepared to say.

The statement that the ships that are now being built would cost \$900,000 is not significant. I know nothing about the ships that are being built. I have asked for a description of them, their tonnage, and their character, as compared with the ships sold to the Government. I have asked it of the officers of this company, and have not been able to obtain that information. They may cost \$900,000 or twice \$900,000.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from New Hampshire?

Mr. STONE. With pleasure.

Mr. GALLINGER. If the Senator will permit me, I do not think he will be able to get reliable information from any source that the owners of those ships sought the privilege of selling them to this Government. They have not an excess of ships. The Government expressly desired to buy those ships, and put this company to great inconvenience in disposing of those two most excellent ships, because they themselves had to make a contract for the building of two additional new ships. If I remember correctly, they gave an order for three new ships. So that not only would American mechanics get the advantage of building two new ships because of this bargain with the Government, but they get the advantage of building three new ships.

Mr. STONE. But what has that to do, I ask the Senator, with the fact, as stated to the Senate and which the Senator will not gainsay, that these two ships, seven or eight years old at the time the Government purchased them, cost the Ward Line from \$1,100,000 to \$1,200,000 when built, and after using them for eight years they sold them to the Government for \$1,300,000?

Mr. GALLINGER. Has the Senator taken the trouble to ascertain what repairs were put upon those ships?

Mr. STONE. I understand—

Mr. GALLINGER. While it is a fact that there is an annual depreciation in ships, that annual depreciation can be made good by proper repairs.

Mr. STONE. Does the Senator contend that a ship's life might be continued forever by repairs?

Mr. GALLINGER. It can be continued for a long time.

Mr. STONE. The rule is to write off 5 per cent annually and keep up repairs.

Mr. CLAY. I should like to ask the Senator from Missouri if it is not true that the average life of a ship is about twenty years. If that be true, evidently a ship that has been used for seven or eight years would not be as valuable as a new ship, and if the ship only cost \$750,000, it evidently would not be worth \$1,300,000, having been used for six or seven years.

Mr. STONE. So I contend.

Mr. GALLINGER. The Senator from Georgia [Mr. CLAY] does not mean by that that a ship that cost \$750,000 was sold for \$1,300,000. I hope the Senator from Missouri [Mr. STONE] will correct that statement.

Mr. STONE. The testimony of Mr. Smith, the secretary and treasurer of this company, before the Merchant Marine Commission last summer was that the ships cost, when built, in the vicinity of—to use his own expression—\$550,000 each.

Mr. CLAY. For how much were they sold?

Mr. STONE. They were sold for \$650,000 each.

Mr. CLAY. Then I misunderstood the Senator from Missouri.

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Ohio?

Mr. STONE. I do.

Mr. FORAKER. I only want to see if I understand the statement the Senator from Missouri is making, for it is a very important one. I understand him to say these two ships, which were bought for \$650,000 each, originally cost, according to somebody's testimony, only about \$550,000 each.

Mr. GALLINGER. Or \$600,000 each.

Mr. STONE. Possibly \$600,000 each.

Mr. FORAKER. Well, \$600,000 each. At any rate, that, after five or six years' use—

Mr. STONE. Seven or eight years' use.

Mr. FORAKER. They were sold to the Government for more than the original cost. What I want to know is, on what

authority does the Senator make that statement? The Senator doubtless stated, but I did not catch it.

Mr. STONE. I make the statement as to the original cost upon the authority of Mr. Smith, who is secretary and treasurer of the New York and Cuba Mail Steamship Company, commonly known as the Ward Line. For that company the Cramps built these two vessels, known as the *Mexico* and the *Havana*, and this officer of the company testified before the Merchant Marine Commission what the cost of construction was.

Mr. FORAKER. When was that testimony given, if I may inquire?

Mr. STONE. I gave the date, or the page.

Mr. FORAKER. I will not ask the Senator to do it again. If it will be in the Record, I will find it.

Mr. STONE. It was in May, about a year ago.

Before I resume where I left off when interrupted, I want to ask the Senator from New Hampshire [Mr. GALLINGER] a question. He asked me if I had investigated to find out what the difference in cost is in shipbuilding now as compared to the cost six or eight years ago, when the *Havana* and *Mexico* were built. Can the Senator from New Hampshire tell me what the difference is?

Mr. GALLINGER. I will say to the Senator that I can not with definiteness, but I understand it is considerably greater.

Mr. STONE. In what does the increase consist?

Mr. GALLINGER. In the first place, in the increased cost of labor.

Mr. STONE. How much is that?

Mr. GALLINGER. I say to the Senator that I can not definitely state it. I say that it costs more.

Mr. STONE. Are the wages paid laborers in shipyards very much more, or any more, now than they were six or seven years ago? I do not believe that is true.

Mr. GALLINGER. They are somewhat more; yes.

Mr. STONE. There has been no perceptible increase in the cost of material, I assume?

Mr. GALLINGER. The Senator has sometimes, I think, argued that there is, and he attributes it to the trusts. I have heard the Senator make that argument.

Mr. STONE. Well, I do say that there is a very great increase in the cost of articles to American consumers by reason of the trusts and the protection they get under our tariff laws. I maintain that; but the question I am asking is whether there is any increase in the cost of material now over what it was six or seven years ago?

Mr. GALLINGER. I think I have heard the Senator argue—I certainly have heard some of his associates argue—that in consequence of the trusts there is a very great increase in the cost of material to the American manufacturer.

Mr. STONE. The material that goes into ships can be brought in free of tariff duties. The law is so made in the interest of American shipbuilding.

Mr. GALLINGER. Exactly.

Mr. CARMACK. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Tennessee?

Mr. STONE. Certainly.

Mr. CARMACK. I will state to the Senator from New Hampshire that the argument he heard made by the Senator from Missouri and others is that there is a very large increase in the price of protected articles over what it was before the tariff was made higher. There has been no increase in the tariff in the last seven or eight years.

Mr. GALLINGER. I will say to the Senator frankly that I can not state it to him with definiteness—of course, no Senator could without looking the matter up carefully—but I have information, which I think is reliable, that there is some considerable increase of cost.

Furthermore, Mr. President, if the Senator will bear with me a moment, he ought not to lose sight of the fact that when this company parted with these two most excellent ships, it put them to considerable inconvenience and considerable loss. They had to immediately proceed to have new ships built in American ship yards. I think the Senator will search in vain for any data that will enable him to make a statement to the Senate and the country that this company sought the privilege of selling these ships to the Government. The Government wanted ships, and they discovered these two ships; they sought to purchase them, and the company sold them to the Government.

Mr. STONE. I know nothing about that. Does the Senator know anything about it?

Mr. GALLINGER. I think that is a correct statement of the matter.

Mr. STONE. It is unimportant, even though it be correct, whether the Government made the first overture or the steamship company made it. I should think that any company that

could make such a bargain with the Government would not be slow in looking up the opportunity.

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Ohio?

Mr. STONE. Certainly.

Mr. FORAKER. If I understand the Senator from New Hampshire [Mr. GALLINGER]—I hope I may be excused for making some inquiry about this, for it is new to me—the Government was in need of ships, this company happened to have the only ships that would answer the Government's purpose, and, under the stress of necessity, the Government paid the price that was necessary in order to get the ships.

Mr. GALLINGER. That is about the statement, except that I do not concede that the Government paid any more than a fair price, all things considered.

Mr. FORAKER. So I understand.

Mr. STONE. I think we could very well afford to leave the argument at that point. The Government did need ships and the Government had opened negotiations for the purchase of foreign ships. Two foreign ships of larger tonnage were offered to the Government. When it was seeking them throughout the world, when the President declared that it was his intention and his duty to seek them throughout the world wherever he could get the best for the least money, these two ships were offered to him; but he permitted the opportunity to purchase them to pass. His agent came home, and the two American ships were purchased at a price largely in excess—from one hundred to two hundred thousand dollars in excess—of what the ships cost when they were built, and that, too, after they had been in the active service of the company that owned them for a period of seven or eight years.

To my mind it is utterly absurd to say that the authorities, to whom was committed the duty of purchasing these ships, could not find ships in Europe. Mr. President, the one chief complaint that Americans are making is that our merchant marine has almost disappeared from the sea. Whatever the cause, the fact stands out to the shame of the American people that to-day we are at the very foot among the maritime powers of the earth, while the ships of the great powers of Europe are swarming the seas. To say that ships could not have been purchased in Europe, to my mind, is absurd. The fact remains that these vessels, at the time they were purchased, were worth approximately not more than \$700,000, when valued under the rules by which ships are rated by shipowners and shipbuilders.

Mr. President, I assert that it would be hard to find a more patent or shameful instance of the misappropriation of public funds than this. It might be interesting while on this point, and especially to the senior Senator from Alabama [Mr. MORGAN], to know that a secretary of one William Nelson Cromwell was the agent of this Government who was sent abroad to negotiate for the purchase of foreign ships, and who reported that it was not possible to procure ships suitable for the service of the Canal Commission. It may be even still more interesting to know that this same William Nelson Cromwell appeared as a representative of this Government in the transaction which culminated in the purchase of the *Havana* and *Mexico*. It is really remarkable that this man Cromwell is present in some form in almost every important transaction connected with the Panama Canal.

This transaction, Mr. President, serves a double purpose: It shows that the President was right in declaring that the Government should have the markets of the world to draw from in order to protect the Treasury from unreasonable extortion, and it shows the weakness of the President and his inability to withstand pressure from powerful financial and political influences even in cases where his duty is perfectly plain. How much the Government has suffered in other purchases on account of the President's unfortunate vacillation and weakness, I can not tell. It has been stated in hearings before the Committee on Appropriations that 98 per cent of all materials purchased have been purchased in America. If this ship transaction can be taken as a sample of the whole, then the graft mounts up already into millions. The President's weakness is a costly thing to the American taxpayers.

Mr. President, there is no public need to pass this joint resolution. No one can doubt that the President will buy practically all canal materials in America, no matter what the difference in prices here and abroad may be.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. I assume that the Senator from Missouri is stating his belief, but unfortunately for his contention both the President and the Secretary of War, in a communication to

Congress, have stated the opposite of that contention to be the fact.

Mr. STONE. I am aware of that. I have read the document the Senator holds in his hand, and I have proceeded notwithstanding to say what I have.

Mr. ALDRICH. The Secretary of War says:

If there is no prospect of early action by Congress, I shall direct Mr. Shonts, unless ordered by you to take a different course, that he accept the bid of William Simons & Co., of Renfrew, Scotland.

The President says in his reply to the letter of the Secretary of War:

I approve of your views.

So that, so far as the record goes, it is the purpose both of the Secretary of War and of the President to purchase these materials and articles of manufacture from the foreign producer, unless Congress acts in this matter.

Mr. STONE. I do not care to make a sharp issue of that kind, but, Mr. President, just as positive assertions of the Executive purpose to buy ships and materials in foreign markets, unless they could be purchased in America at reasonable prices compared with foreign prices, were made months ago. I have shown you one example of how that pledge was kept, and the fact that 98 per cent of the materials purchased were purchased at home at the higher prices charged here is proof of my statement that the President would buy at home whether this joint resolution were adopted or not.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. I was about to call the attention of the Senator from Missouri to the fact that there is a difference of condition. The communications from which I read are official communications from the President of the United States and the Secretary of War sent to Congress. The others were published statements, as I understand.

Mr. STONE. Not altogether. I beg the Senator's pardon. Some of the matter that I have put in the Record in former remarks was from official documents, from reports of the Secretary of War to the President and from officials of the Canal Commission to the Secretary of War.

Mr. ALDRICH. I was not aware that they were official papers.

Mr. STONE. Some of them were.

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Ohio?

Mr. STONE. Certainly.

Mr. FORAKER. I will say to the Senator from Missouri that I have been looking through the testimony taken on this subject before the Inter-oceanic Canals Committee, and I find this matter all gone over by Mr. Shonts in his testimony, at pages 1425 and following. I should like to read, if the Senator does not object to my taking that much of his time, two or three paragraphs.

Mr. STONE. I would rather the Senator would read them in his own time.

Mr. FORAKER. I did not want to take any time on my own account.

Mr. STONE. The Senator will be at liberty—

Mr. FORAKER. I thought it was only fair to Mr. Shonts, who made the purchase directly, that his statement should be read.

Mr. STONE. I have not said a word about Mr. Shonts.

Mr. FORAKER. I know, but the Senator has stated the transaction, and inasmuch as it appears from Mr. Shonts's testimony that he himself made this purchase directly, supervising it, at any rate, his statement as to how they came to pay as much as they did is important.

Mr. STONE. The Senator can take that up in his own time.

Mr. FORAKER. Very well; I will not insist.

Mr. STONE. No, Mr. President, if we are to judge the future by the past, there is no room for questioning what course the President will adopt. The men who contributed the stupendous slush funds, aggregating millions upon millions of dollars, to carry the last three Presidential elections for the Republican candidates, almost of necessity have their grasp upon those who accepted their princely donations. The beneficiaries of these enormous corruption funds may sometimes wince and shrink from the task imposed upon them, and to hide the shame of it may now and then perform some spectacular stunt in the limelight and before the galleries; but in the end the forces which operate behind the curtain and hold the strings will have their way. But, Mr. President, there has been so much of this blustering, and it has attracted such wide attention that something

must be done to relieve the situation. Something must be provided for public credulity to feed upon. A door must be opened for escape, and a soft place must be made for the President to fall. The scheme for all this is wrapped up in this resolution. A short time ago the Secretary of War, in a public speech, which was widely scattered through the country, declared that he considered it the duty of those charged with constructing the canal to build it as cheaply as possible, and that under existing law they had no option to do otherwise. This was merely a repetition of what had been said before.

But in this speech the Secretary went on to say that the whole question had been submitted to Congress with a view to having the legislative department prescribe a rule for the guidance of those into whose hands the work of constructing the canal had been committed. In substance and effect the same declaration by the Secretary of War is repeated in his letter to the President of May 14, 1906, the one referred to by the Senator from Rhode Island, and which was transmitted to the Senate and House by the President the following day. Let me read an extract from the Secretary's letter:

The result of a consideration of general principles of law and the practice of the Government, in the absence of specific direction to the contrary, is that in the construction of the Panama Canal in the Canal Zone on the Isthmus, which is outside the tariff wall surrounding the United States proper, and into which, by virtue of the Hay-Varilla treaty with the Republic of Panama, material, supplies, and machinery of all kinds for the construction of the canal are to be introduced free from tariff or imposts, it is your duty to buy where you can obtain the material, supplies, and machinery at the cheapest price, other conditions with respect to quality, prompt delivery, etc., being equal. This view it seems to me is confirmed by the failure of Congress to direct any different course on your part, although the matter was brought to its attention more than a year ago, and your view of your duty in the premises, if Congress took no further action, was clearly indicated.

So they bring the matter again before the Congress for their action. Here is a kind of mute appeal to the Congress to help them out of a hole. The President has given up his fight and surrendered, but henceforth, as he goes on patiently bearing his yoke, he must have some excuse to give the people for abandoning the path of duty. And so the Macedonian cry comes over from the White House to Congress. This joint resolution is the response Congress makes to that appeal. Hereafter when the President goes on buying trust materials at trust prices, as he has been doing, and would continue to do whether this resolution should be adopted or not, he can excuse himself on the ground that Congress has established a rule for his guidance. He can shelter himself under this resolution and unload his sins on Congress. It would be a sham performance, of course, but it would answer the purpose. That is about the only possible use to which this resolution can be put. Under its terms, it does not, in fact, restrain or limit the President, except when American materials are offered at reasonable prices; then the resolution would require him to purchase in America. I do not know what the President or the authors of this resolution would consider "reasonable" prices for American materials. I presume it would mean reasonable as compared to the prices offered in other countries; but what the President will consider reasonable is another thing. Nobody imagines that the President, or that anyone else, would go abroad to buy materials for this canal, or for any other purpose, if they could be had at home for prices which are reasonable as compared with foreign prices. There is utterly no need for enacting a law directing the President to purchase at home under circumstances of that nature. With or without this joint resolution, or any other rule on the subject, no one supposes that the President would buy abroad unless the prices asked at home were unreasonable. The very thing the President, in the first instance, declared his intention to do was to go abroad only in the event the manufacturers and shipowners of the United States sought to extort unreasonable prices. That was all anybody could expect or desire him to do. He needs no Congressional authority to carry out that policy. And this resolution, if adopted, will not clothe him with any power he can not exercise already. It would leave him standing substantially where he stands now without it.

The Senator from Rhode Island read an extract from the letter of Mr. Secretary Taft to the effect that certain materials, dredges among other things, on which bids have been taken, would be purchased abroad unless the joint resolution should be adopted. Among the bids that were made, two or three have been mentioned in the Senate. A company in Maryland, dredge builders, have offered two dredges at a price about \$70,000 in excess of the price at which a Scotch firm offers to furnish them. Is this a reasonable price asked by the Maryland company? Is it fair, reasonable, just—just to the Government, to the taxpayers, to the Treasury? If so, then the President should buy here, not abroad. Why would he go abroad, why would Mr. Secretary Taft advise him to go to Scotland to buy

instead of buying in Maryland, unless it be the opinion of the Secretary and the President that the price asked by the Maryland dredge builder is exorbitant and unreasonable?

The Senator from Rhode Island says that unless we pass the joint resolution they will go abroad and buy. Very well. If the price is unreasonable they can go abroad anyhow under the terms of this resolution and buy, and should do so if the price asked here is unreasonable. On the other hand, if the price is a fair price they can buy here without the passage of the joint resolution.

Mr. ALDRICH. Will the Senator allow me?

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. If the Senator from Missouri were buying these dredges and had to take into consideration the prices respectively of the Maryland Steel Company and the concern in Scotland, he would have to pay 45 per cent duty on the foreign dredges, which would make the foreign dredges cost \$175,000 more instead of \$70,000 less than the American dredges.

Mr. STONE. I fully understand that.

Mr. ALDRICH. That is the question which we are here considering, and that is the question which must necessarily be considered by the President in determining whether the bids of domestic competitors are reasonable or not.

Mr. STONE. Does the Senator want the Senate to understand that the joint resolution in any regard affects the tariff?

Mr. ALDRICH. The joint resolution provides that the Government of the United States shall do what it requires its citizens to do—to buy goods of American production; and because the labor cost in the United States is so much greater than abroad, the Government is forced to the necessity of levying duties upon foreign products. The joint resolution says in effect that the Government of the United States ought to stand in relation to these transactions the same as an American citizen stands.

Mr. STONE. I am not sure but that the Senator is right about that, but—

Mr. PATTERSON. Mr. President—

Mr. STONE. I yield.

Mr. PATTERSON. The Senator from Rhode Island is evidently mistaken as to the view the President takes in determining whether the price asked for a domestic article is reasonable or unreasonable.

Mr. ALDRICH. I am not undertaking to express the views of the President of the United States, and I am willing, if the Senator assumes that he can, that he shall speak for the President of the United States. We are undertaking here to express the opinion of the Congress of the United States as to the policy which ought to be pursued in the purchase of materials for the construction of the canal.

Mr. PATTERSON. Let me call the attention of the Senator from Rhode Island to what the correspondence shows are the facts. According to the letter of Secretary Taft, the difference between the price of the foreign article and the domestic article is only about 8 per cent. The Senator from Rhode Island says that the tariff upon the article would be 45 per cent, and that is the matter which induces the President to make this communication to Congress.

Mr. ALDRICH. Oh, no; I did not say that.

Mr. STONE. No.

Mr. ALDRICH. I did not say that.

Mr. PATTERSON. Is it the idea of the Senator from Rhode Island that if an article is offered by a domestic manufacturer at the cost in a foreign country plus the tariff that that will be a reasonable price? In other words, if these two dredges should cost but \$654,000 abroad, then an American manufacturer might add to that sum 45 per cent, or something below 45 per cent, and that the President would be in duty bound to give the contract to the American manufacturer?

Mr. ALDRICH. In determining the reasonableness of a domestic price of course the President is not bound to take into consideration alone the foreign price plus the duty, but the reasonableness in the United States growing out of the competition between domestic producers.

Mr. PATTERSON. Ah!

Mr. ALDRICH. I should like to ask the Senator from Colorado a question. Does he not think that if the Government of the United States is to be forced to buy in the cheapest markets in the world American citizens ought to be permitted the same privilege?

Mr. PATTERSON. I certainly think they should be. Now, I want to ask the Senator from Rhode Island a question.

Mr. ALDRICH. Is not the converse of that proposition also true?

Mr. PATTERSON. No. My question was going to the converse of the proposition. Because, under the American tariff, the trusts may rob the American consumers, is that any reason why they should be robbed the second time when the Government may go into the markets of the world to make the purchase? Should not one robbery be enough?

Mr. GALLINGER. Did I understand the Senator from Colorado to say that he thought American citizens ought to have the same privilege of buying abroad?

Mr. STONE. With all due deference to Senators—

The VICE-PRESIDENT. The Senator from Missouri is entitled to the floor.

Mr. STONE. I think I would rather not have these arguments injected into my speech.

The VICE-PRESIDENT. The Senator from Missouri declines to yield.

Mr. BACON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Georgia?

Mr. STONE. Certainly.

Mr. BACON. With the consent of the Senator from Missouri, as bearing upon the question he is now discussing, I desire to present an amendment which I intend to propose when it is in order to do so; and I ask that it may now be read in order that it may also be ordered to be printed.

The VICE-PRESIDENT. The Senator from Georgia presents a proposed amendment, which will be read.

The SECRETARY. It is proposed to add at the end of the joint resolution the following:

Provided, That in making said purchases a larger price shall not be paid for any such article of domestic production or manufacture than the price at which the same or similar articles of domestic production or manufacture are sold or offered for sale in foreign markets, or for export to foreign countries. And for the ascertainment of the prices at which articles are sold or offered for sale in foreign countries, the Secretary of Commerce and Labor is hereby directed to procure so far as practicable and to report to the President the following information:

First. What articles and classes of goods produced or manufactured in the United States such as are required, as material and equipment, in the construction of the Panama Canal have, during the year ending December 31, 1905, been sold or offered for sale in foreign countries, or for export to foreign countries by the producers or manufacturers thereof or through their representatives or agents at prices less than the same and similar articles and classes of goods were during the same period sold in the United States by the producers or manufacturers thereof or through their representatives or agents, having special reference in said report to all classes of tools, machinery, steel rails, cars, engines, dredges, vehicles, cement, and other materials largely and principally required in the construction of said canal, and in the maintenance, equipment, and operation of the Panama Railroad.

Second. What, separately stated as to each class of goods and with specification of articles so far as practicable, was the general average during the said period of the comparative prices in sales in the United States and in the several foreign countries.

The Secretary of Commerce and Labor is further directed to make said reports as soon as practicable, and thereafter in the year 1907 and in each succeeding year during the continuance of the construction of said canal, it shall be his duty to procure the said information, and to report to the President concerning said sales in the United States and in foreign countries during the calendar year next preceding the said report.

The VICE-PRESIDENT. The proposed amendment will lie on the table, and be printed.

Mr. STONE. Mr. President, I repeat that the only purpose the resolution can serve is to excuse the President's capitulation to the trusts. Hereafter I imagine there will be few American offerings found to be unreasonable, and none extortionate. An enormous amount of structural steel will be required for use on the canal. The steel trust, as is well known, has two prices for its products—one for their protected American market, and the other for the open market of the world. If steel rails and other steel products can be shipped to Europe and sold at a profit in competition with products manufactured there, then it would be unreasonable for the trust to demand of the Government a higher price than they sell for in Europe. Certainly they could afford to sell to the Government at their export prices on delivery at their mills, thereby adding the cost of transportation to their profits. Anything above that would, in fact, be unreasonable, but I would take no serious chance in predicting that the prices the Government will pay will be nearer the domestic price than the foreign price. This resolution merely crowns the triumph of the trusts over the President.

And, Mr. President, why should not this be so? If we are to continue this Republican policy of a prohibitory tariff, why, indeed, should not the Government itself bear the burden it imposes by law on the citizen?

Mr. HALE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Maine?

Mr. STONE. Certainly.

Mr. HALE. I do not want to interfere with the Senator's line of argument, but right in connection with what he has just stated, with his leave, I should like to ask him one question.

Mr. STONE. What is the Senator's question?

Mr. HALE. Can the Senator find an instance anywhere, in Europe or elsewhere, where a government is engaged in any public work, that it does not invariably, always, without exception, buy its material and employ its labor at home, whether that government is free trade or is protection? Will he not find that free-trade England does precisely what protective Germany does and what France does, and that there is not an instance in the civilized world where government is engaged in expending its revenue for public works that it goes outside for its labor or material?

Mr. GALLINGER. And confine the carriage to their own ships.

Mr. HALE. And as the Senator from New Hampshire says, in addition to that they confine the transportation to their own ships.

Mr. STONE. Mr. President, I think every government does wisely to buy at home its materials for use in the construction of public works, and does wisely to employ its labor, as far as practicable, from among its own people, but—

Mr. CARMACK. Will the Senator from Missouri permit me?

Mr. STONE. I will.

Mr. CARMACK. I think the statement of the Senator from Maine is very incorrect indeed. I think the British Government has purchased in the United States material and supplies to a very large extent for Government purposes, in the colonies at least, for public works.

Mr. HALE. I wish the Senator before this debate is terminated—it is not evident that it is going to terminate to-day—would bring in an instance where for Government work, paid for by taxation of the people of the Government, there has been in any single instance a purchase of material or even labor for it from outside.

Mr. CARMACK. I happen to remember the case of the Atbara bridge. The material was purchased almost exclusively in the United States; in Philadelphia, I believe.

Mr. HALE. That was a colony.

Mr. MONEY. If the Senator will permit me—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. STONE. Certainly.

Mr. MONEY. I do not like to interfere in this debate, because the Senator from Missouri is making a very fine speech, but as it seems to be the order of the day that he shall be interrupted, I want to correct the statement made by the Senator from Maine.

Mr. STONE. I have no objection, I will say to the Senator.

Mr. MONEY. I know. The Senator is very indulgent and complacent about it. As a matter of fact, it was necessary for military operations to build a bridge across the Blue Nile at Atbara. As a matter of fact, advertisements were made for the building of it. As a matter of fact, an American firm got the contract as against every bid made by English firms; and there were many bids. The American firm got the bid for two reasons: One was that the bid was cheaper, and the other was because the bridge could be finished in half the time. That is one instance that I call to mind just now.

Mr. HALE. That does not in any way interfere with my proposition. The Indian matter was a matter of Indian revenues. It was an Indian colonial matter.

Mr. MONEY. It was an Egyptian matter.

Mr. HALE. Well, it was colonial.

Mr. MONEY. I want to state, if the Senator from Missouri will excuse me, that it was a military operation in the Sudan; and it was necessary, having extended the railroad up from Cairo, to build a bridge across the Blue Nile near Khartum; and it was built after advertisements, as I stated, which were published. There were many bids. An American firm got the bid for two reasons; first, because the bridge could be finished in half the time offered by any British firm, and, second, the American bid was lower. Now, that is a fact which, I think, goes directly against the statement of the Senator from Maine, and if he will allow me—

Mr. HALE. No; I renew my proposition that you can not find an instance where the Government is expending money drawn by taxation from its people, and in this case we are furnishing all the money in the canal. Panama does not furnish it; we furnish it. We pay the taxes—

Mr. CARMACK. If the Senator will allow me—

Mr. HALE. Wait a moment. In no case will it be found

where, like in this case, the Government pays the bill and does the work it either prefers foreign people or foreign material.

Mr. MONEY. If the Senator will not accept the statement I made, which is a true one and can be verified—

Mr. LODGE. It has no relation. It is Egyptian money. It is not built by British taxpayers.

Mr. MONEY. I know it is Egyptian money, but the contract was made by the Government.

Mr. STONE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield further?

Mr. HALE. I still insist on my proposition.

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Tennessee?

Mr. CARMACK. I wish to say that in the case of building the viaduct in Burma the material was purchased in the United States.

Mr. LODGE. That is in East India.

Mr. STONE. Mr. President, I might find instances by some reflection and attention to them, but of what consequence is it? I imagine it will be somewhat difficult to find a country of sufficient importance to engage in the construction of great enterprises even approximating the magnitude of the Panama Canal where the home market for material is so hedged about by tariffs as to enable the home producer to make such exactions as can be made here in America.

I agree, as I have said, that it would be a wise public policy to purchase at home, thereby keeping our money at home, and to that extent giving employment to our own capital and labor. I agree that it is best, in the prosecution of public enterprises, to employ home labor instead of foreign labor. A proposition of that kind is so evidently true that it will be universally agreed to. There can be no argument about that. But when the home producer of materials needed undertakes to exact prices that are, in effect, as my friend the Senator from North Carolina, in front of me, says, a hold up; when the producers of these materials set two prices upon their products, one for use in foreign markets and another for use at home; when the price at which they sell to foreign consumers is vastly less than what they exact of the home consumer, and would exact of the Government if they could, then, I say, the Government ought to be clothed with power to protect itself against being plundered.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. Does not the Senator think that the joint resolution does precisely that thing? It was the purpose of the committee in reporting it to cover that ground exactly.

Mr. STONE. I have said, and I repeat, that the joint resolution, to my mind, is simply a tinkling cymbal; it is a sound without meaning; there is nothing to it. The President can do now just what he could do under the joint resolution. Without the resolution it might not be strictly his legal duty to buy in the home market even at reasonable prices, yet it would be his patriotic and moral duty to do it, and he would do it. The trouble about it is that the President in future will do what he has done in the past. Threatening the home manufacturers and shipowners to go abroad, possibly with some hope of coercing them, he was himself coerced, and has purchased 98 per cent of everything he has bought in the home market at trust prices.

Mr. HALE. Can the Senator—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Maine?

Mr. STONE. I will yield; but I will say to the Senator that I am anxious to conclude.

Mr. HALE. I do not remember whether the Senator himself took part in the debate, but other Senators upon the other side whom I see before me did, which arose when the bill was up providing for the transportation of Government supplies, mainly coal, to the Philippine Islands. I had the honor to be in charge of the bill, and we debated it here for two or three days. I remember that both the Senators from Colorado, the Senator from Texas, and other Senators took part. We finally adjusted it by language almost the same as that in the pending joint resolution coming from the Committee on Finance. We provided that all transportation of Government supplies to the Philippine Islands should be in American-built ships unless the President found that the bidding for carriage by American firms in American ships was unreasonable or the result of improper combination. The junior Senator from Colorado [Mr. PATTERSON] will remember it, or it may be that it was he who suggested the last words that we put in, when everybody voted for the bill.

Mr. PATTERSON. I think the Senator from Maine is mistaken.

Mr. HALE. I may be.

Mr. STONE. I hope the Senators will not get into a debate on that point.

Mr. HALE. I only wish to call the attention of the Senator to the fact, when he says the words are meaningless and that the joint resolution is meaningless, that it is substantially just the policy that was adopted after full debate in the transportation of Government supplies to the Philippines, and the committee had that in view when they reported the pending joint resolution. If the Senator will look up that bill and will look up the debate, he will find that we went all over it then and finally adjusted it, everybody, I think, voting for it.

Mr. STONE. Mr. President, I would have no objection—I do not see that anyone could have any objection—to directing the President to ship whatever we had to transport to the Philippines in American vessels, unless the rate charged should be exorbitant, and not to ship under a foreign flag. If we could carry our provisions and materials under the American flag at a reasonable price, there could be no objection to giving legislative direction to the President. But at the same time it seems to me to be an utterly useless thing to do. It is impossible to conceive of any American President or official fit to hold his office who would not do without that law what the law required.

Mr. ALDRICH. Will the Senator allow me?

Mr. STONE. So in purchasing materials for the canal perhaps there is no substantial objection to giving some legislative direction, but as a practical proposition this resolution is useless.

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. I yield to the Senator.

Mr. ALDRICH. Does the Senator from Missouri think that the President should purchase these two dredges, which is the practical question now before the Senate, of foreign producers or of domestic producers?

Mr. STONE. Do I think that he could?

Mr. ALDRICH. No; do you think he should, as a matter of duty? What is the Senator's idea, taking into consideration the difference in price, as to what is the duty of the President in the premises?

Mr. STONE. No; I have not given consideration to it. It has been stated that there is a difference of between \$60,000 and \$70,000 in the bids.

Mr. ALDRICH. Yes; the foreign bid is approximately \$67,000 lower than the domestic bid.

Mr. STONE. I do not know the cost of these dredges. I do not know the per cent of difference. I have not gone into that, and I can not now go into a calculation of that kind. It is sufficient to say that if the American price is a reasonable price, a fair and just price, compared with other prices, the purchase ought to be made in America. I do not hesitate to say that anything an American has to sell, if he will sell it to us at a reasonable price as compared with foreign prices, ought to be bought here. That goes without saying. But here is the point: If it is a reasonable price, a fair price, why does the Secretary of War say, as you declare he does, that without this resolution he will go abroad to buy? It must be that, in his opinion, the price asked here as compared with the foreign price is unreasonable; and if it is unreasonable, then the domestic dredge builder should be compelled to lower his bid to a reasonable price or the Secretary should go abroad and buy.

Mr. SCOTT. Will the Senator allow me to ask him a question?

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from West Virginia?

Mr. STONE. For a question; certainly.

Mr. SCOTT. If the Senator from Missouri, after making a careful calculation, should find that the difference in the price of these dredges was the difference in wages between that paid in Europe and that paid in America, would he still favor the purchase of foreign-made dredges, when at least \$500,000 of the money we are to invest in these two is labor and not over \$200,000 of it is material and that material has to be prepared and is labor? If the Senator wants to buy these foreign manufactured articles and cut out American labor, and compel American labor to come down to the price of the pauper labor in Europe, I should like to have him state so on the floor of the Senate.

Mr. STONE. Oh, the Senator, as usual with Senators representing his school of thought, begins a harangue about American labor.

Mr. SCOTT. I should think the Senator from Missouri had

heard enough of that in the last few campaigns to convince him that perhaps the American people can not be fooled on that proposition.

Mr. STONE. But the American people, or a great number of them, have been fooled, and badly fooled, by just such speeches as the Senator's.

Mr. President, the price of American labor is higher than the price of European labor, and undoubtedly that should be a consideration which should be kept in mind. I would expect the President in buying these dredges to pay a higher price for them in America than he would pay for them in Scotland, and nobody will have any quarrel with him on that account, provided the price was a fair and reasonable price as compared with the offerings of foreign dredge builders. Whether the domestic bids are reasonable or unreasonable is a question of fact that must be determined upon a consideration of all the circumstances to be considered.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from New Hampshire?

Mr. STONE. I yield to the Senator.

Mr. GALLINGER. With the kind permission of the Senator, I want to give him the three bids that were received for these dredges.

Mr. STONE. They have been given here before.

Mr. GALLINGER. But the Senator admits he does not know what they are.

Mr. STONE. No; I did not admit it, but I could not—

Mr. GALLINGER. If the Senator does not wish me to give them, I will not trouble him.

Mr. STONE. I have no objection.

Mr. GALLINGER. There was a Dutch bid of \$850,000, an American bid of \$724,000, and a Scotch bid of \$654,000. The Dutch bid was much above the American. The Scotch bid was \$70,000 less; but it is clearly shown that with the cost of inspection, sending men over there, and various other expenses that will follow, the difference between the American and the Scotch bids will not be more than from \$40,000 to \$50,000. It is a very close bid, and I am glad to hear the Senator say that—

Mr. STONE. If it be true that it is a close bid, then what is the need of this resolution to enable the President to buy them here?

Mr. GALLINGER. I was going to complete the sentence by saying that I am very glad to have the Senator from Missouri say that he thinks the President can honorably and justly take into consideration the difference between American labor and foreign labor; but I fear if he did that without the direction that the joint resolution gives him, he would be criticised by the Senator a little later on.

Mr. STONE. The trouble about the resolution is, as I have said, that it is absolutely unnecessary, and to do an unnecessary thing with so much solemnity gives to it some color of suspicion, at least. I mean as to its real purpose. But when last interrupted I was asking the question, Why should the Government protest against a wrong it compels the citizen to suffer? True—"and pity 'tis, 'tis true"—the President backed down from his position, but his bold protest was an indictment of the tariff policy of his party. The Canal Zone is outside of the tariff wall of the United States, and therefore the President could purchase anywhere without subjecting his purchases to the exactions of our tariff laws; and since the people are to furnish the money for the construction of the canal, the President should have the right to buy in the open market and to go abroad if he should find it necessary to protect the Treasury of the people, but he has that right already. When I say that the President should have this right, I am, of course, speaking as a Democrat and from that viewpoint. From the Republican standpoint the Government should buy whatever it needs from American manufacturers without regard to price, and should not only not protest against exorbitant prices, but should be glad to pay for its materials what it compels the American consumer at home to pay. This situation presents some object lessons that ought to be very instructive to the American people. This resolution purports to give to the President a club with which to compel the American manufacturer to offer reasonable prices for his commodities. Of course it is a club the President will never use. It is one of those big sticks that will lie idle in his hands, but the fact that you propose to arm him in that way affords an instructive lesson to the people. The people themselves, the consumers of the country, have no club of this character in their hands. They are helpless; they have no means of resistance; they can only submit. Mr. President, I am more than willing to break the grasp monopoly has on the Government, but to my thinking it is of infinitely greater im-

portance to tear it loose from the throats of the people. That is all I care to say. This much I desired to say before the curtain is rung down and the lights go out on this ludicrous performance.

Mr. CARMACK obtained the floor.

Mr. MONEY. If the Senator from Tennessee will yield to me I desire to offer an amendment, which I should like to have read now, and printed.

The VICE-PRESIDENT. The proposed amendment will be read by the Secretary.

The SECRETARY. Add, at the end of the joint resolution, the following proviso:

Provided, That in making such purchases no price shall be paid for articles of domestic production and manufacture greater than the price for which such like American-produced article can be bought in any foreign market.

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from Ohio?

Mr. CARMACK. With pleasure.

Mr. FORAKER. The Senator from Tennessee has taken the floor with a view to addressing the Senate. I will not ask him to yield, but I want to put in the RECORD what I was denied the privilege—

Mr. CARMACK. I will yield the floor to the Senator in a very little while. I am going to occupy the floor a very little while.

Mr. FORAKER. I want to move an executive session in a few minutes.

Mr. CARMACK. I will yield to the Senator now, if he prefers.

Mr. FORAKER. I am very much obliged to the Senator from Tennessee, for I would prefer to put in the RECORD that which I am about to call attention to immediately following the remarks of the Senator from Missouri.

In the course of his remarks the Senator from Missouri commented on the purchases for use in connection with the construction of the Panama Canal of two ships from the Ward Line, as it is popularly called. He said, in that connection, that \$1,300,000 were paid for the two ships, \$650,000 each; that the ships were six or seven years in use at the time when they were so purchased, and that the original cost of the ships was in the vicinity, I believe he expressed it on the authority of some one who testified in regard to the matter, of \$550,000 each. So it would appear that when these ships were purchased by the United States Government for use in connection with the Panama Canal and its construction more was paid for them, to the extent of \$100,000 to \$200,000, than they originally cost.

Mr. GALLINGER. Will the Senator permit me a slight interruption?

Mr. FORAKER. Certainly.

Mr. GALLINGER. I remember very distinctly the testimony of Mr. Smith. Offhand he did say that these ships cost \$550,000 or possibly \$600,000 each, but, if the Senator from Missouri [Mr. STONE] will follow that testimony along for just one paragraph, he will find that Mr. Smith testified that they had two other ships of 4,500 tons each. These ships are 5,700 tons, and the 4,500-ton ships cost \$550,000 each.

Mr. CARMACK. It seems to me that Senators might elaborate this matter and bring out such facts as they desire in their own time.

The VICE-PRESIDENT. The Chair understood the Senator from Tennessee [Mr. CARMACK] to yield to the Senator from Ohio [Mr. FORAKER].

Mr. CARMACK. I yielded for an interruption by the Senator from Ohio; but, it seems to me, if Senators desire to discuss this matter at length, they should take the floor to do so in their own time.

The VICE-PRESIDENT. The Chair understood that the Senator from Tennessee had yielded to the Senator from Ohio.

Mr. CARMACK. I did yield to the Senator from Ohio, but I did not yield for general debate.

Mr. FORAKER. Very well. I will finish what I have to say, and it will not take me very long.

The statement made by the Senator from Missouri [Mr. STONE] was of such a character that I thought it ought to be looked up, and I have taken the trouble to find out what testimony there is on that subject. I have before me the hearings before the Committee on Inter-oceanic Canals. I read from page 1428, volume 2, the testimony of Mr. Shonts. He was examined in regard to the purchase of these ships. His testimony on this subject commences two or three pages earlier. After explaining the necessity for ships and their efforts to find ships abroad, he then states that he heard of these two ships of the Ward Line. Some one who was a representative of the Cunard Line had told him about them, and expressed the opinion that he might be able to assist him in purchasing them. This repre-

sentative of the Cunard Line told him that the price of the ships was \$750,000 each. It was finally thought that possibly they could be secured for \$700,000 each, this coming after considerable negotiation. Then Mr. Shonts testified further, as follows:

I said: "I am willing to pay, flat, \$650,000 for each of those ships, subject to survey and inspection, if they are all right, but I will not pay a cent over. I will not pay any commissions to anybody; and if you want to be good enough to help us get those ships at that price, as a patriotic duty or as a citizen, I will be very glad to have your assistance." He took the task in hand, and he finally got it through. That was the way the ships were bought for \$650,000.

Omitting two or three immaterial questions and answers, Mr. Shonts proceeds, as follows:

He told me that the ships were well built, and were built at a time when material was cheap, and that they had spent a great many thousand dollars additional to their original cost in strengthening them since because of heavier tonnage that they wanted to carry, and that he thought now, besides the delay of a year and a quarter or a year and a half to get new ships, it would cost a good deal more money to build them than the \$700,000. I was talking to him on the \$700,000 basis. He thought they were cheap, considering their condition and age, at \$700,000.

At another place Mr. Shonts testifies that after he had purchased these ships he caused them to be insured for their full cost, \$650,000 each; and the insurance companies, he remarks, evidently thought they were worth what they had paid for them. That testimony is on page 1429.

At page 1430, on the same subject, Mr. Shonts, further testifying, said:

Senator KITTREDGE. What was included in the purchase—the furniture of the ship?

Mr. SHONTS. Yes; and the silver and the china and the linen; but they agreed to take those things back at a fair price, because they were marked with the Ward Line marks, and we knew we would want to put in our own linen and our own china, etc.

Then he further testifies, at page 1432, that he was anxious to buy American ships; and at page 1433, speaking on that point, he says:

Mr. SHONTS. Yes; we thought that we could afford to pay a little more for an American ship, if we had to, in order to carry the American flag and have the benefit of the coastwise shipping.

I might read further to the same effect, but the substance of it all is, or the effect of it all is, that while it is true that these ships perhaps cost only \$550,000 originally, yet they were constructed at a time when material and labor were cheaper than at the present time, and the Government bought not only the ship, but all the furniture, all the linen, all the china, and everything else that belonged to the ship. It is true that the insurance companies evidently thought the ships worth all they had cost, because they insured them for their full value.

It is also true that they had a very laudable purpose in view in seeking to get ships of American registry and American construction, so that they might not only engage in the coastwise trade, but that they might fly the American flag. It seems to me it would be rather a pitiable spectacle to see the United States Government constructing a great canal, using, in that connection, ships for carrying the material for it and flying over those ships foreign flags.

Mr. STONE. They could fly the American flag.

Mr. FORAKER. Well, it is possible—

Mr. CARMACK. I must decline to yield further, Mr. President, for general discussion.

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from Missouri?

Mr. STONE. I ask the Senator to yield to me for a moment.

Mr. CARMACK. I yielded to the Senator from Ohio [Mr. FORAKER] for an explanation, and he is making an argument in reply to the Senator from Missouri [Mr. STONE]. I think, in common fairness, he ought to do that in his own time.

Mr. FORAKER. I do not object to an interruption.

Mr. CARMACK. But I do.

Mr. FORAKER. But inasmuch as the Senator from Tennessee objects, I shall proceed.

I will say, in answer to the Senator from Missouri [Mr. STONE], that it is true, I believe, that under the law and regulations an American owner of a foreign-built ship which has been admitted to American registry may fly the American flag; but it is also true that nobody, as I understand it, takes any pride in flying an American flag over a foreign-built ship. I do not know of anybody who owns a ship, if it is only a yacht for pleasure purposes, who does not want it admitted to American registry, so that he will have a right to fly the American flag without any question whatever, and so that it will be what the flag indicates—an American ship, with American registry, entitled to all the rights and privileges that ships admitted to American registry enjoy.

So I say when it is stated that these ships cost \$550,000 each, and were years afterwards purchased at a higher price than that, the fact is lost sight of, which should be borne in mind,

that, as Mr. Shonts has stated, thousands of dollars have been expended upon them to strengthen them, to improve them, and to make them better than they were; and then there are all the other considerations to which I have adverted.

That is all I care to say. I thank the Senator from Tennessee for his kindness in yielding to me.

I will now ask the Senator to yield to me further for morning business, that I may make a report. I offer an amendment to the diplomatic and consular appropriation bill—

Mr. TELLER. I suggest to the Senator that under the new rule, that is not in order.

Mr. FORAKER. This is not against the new rule, as I understand it. I have looked that up.

Mr. TELLER. I think it is.

Mr. FORAKER. It is merely offering an amendment intended to be proposed.

The VICE-PRESIDENT. The Chair is of the opinion—

Mr. KEAN. I think the Senator from Ohio is in order so long as he has the floor. He did not ask any Senator to yield to him.

The VICE-PRESIDENT. The Chair, under the rule, must hold that it is not in order. The Senator from Tennessee [Mr. CARMACK] is entitled to the floor.

Mr. FORAKER. May I not make this report?

Mr. CARMACK. I have no objection to the Senator making his report if he will submit it without debate. I have a few words to say, and I want to get through.

The VICE-PRESIDENT. The Senator from Tennessee.

Mr. FORAKER. The Senator from Tennessee does not deny me the privilege of making a report.

Mr. TELLER. I insist that the Senator is out of order and that the Chair has held him to be out of order.

Mr. FORAKER. I do not think I am out of order.

The VICE-PRESIDENT. The Chair will read that portion of the rule applicable to this case. It is as follows:

It shall not be in order to interrupt a Senator having the floor for the purpose of introducing any memorial, petition, report of a committee, resolution, or bill.

Mr. FORAKER. But, Mr. President, I had the floor. I had not yielded the floor.

The VICE-PRESIDENT. The Senator from Ohio asked the Senator from Tennessee to yield to him for morning business.

Mr. FORAKER. Oh, I beg pardon. I forgot that.

Mr. CARMACK. Mr. President, my views with respect to this matter are expressed in the amendment which I have already offered:

That in all contracts for the purchase of material and equipment for use in the construction of the Panama Canal preference shall be given to articles of domestic production or manufacture, conditions of quality and price being equal.

Mr. President, that amendment is in line with the precedents, with the practice of the Government, and with various provisions of existing law regulating the purchase of Government material and supplies. Such is the law with respect to the purchase of materials for public improvements in the United States, for while that law provides that preference shall be given to American material, it has been uniformly held that this does not justify giving preference to American material where foreign material of equal quality can be had at a cheaper price. The law with respect to the purchase of military supplies is as follows:

The Quartermaster's Department of the Army, in obtaining supplies for the military service, shall state in all advertisements for bids for contracts that a preference shall be given to articles of domestic production and manufacture, conditions of price and quality being equal.

That is the very language which I propose in my amendment for the purchase of material and supplies for the construction of the Panama Canal.

The Government acted under that law in the purchase of all supplies for the Philippine Islands, buying supplies from Australia and from other countries instead of buying them here in the United States, for the plain, simple, business reason that they could be bought cheaper in other countries than they could be bought from American producers and manufacturers.

So, Mr. President, I can see no reason in this case for departing from the established precedents and practice of the Government as laid down in its statute law, in order to make a wider field for graft and extortion on the part of our American manufacturers.

The joint resolution reported by the Senator from Rhode Island [Mr. ALDRICH] provides that—

Purchases of material and equipment for use in the construction of the Panama Canal—

That is, the purchase of the material and equipment—shall be restricted to articles of domestic production and manufacture, unless the President shall, in any case, deem the bids or tenders therefor to be extortionate or unreasonable.

That is very significant, Mr. President, but for all practical purposes it is, in my judgment, without any value whatever, for there is no practical standard erected to determine what shall be extortionate or unreasonable. As Senators on the other side have suggested, the amount of the tariff added to the price of the foreign competing article would not be regarded as extortionate by the President of the United States and that would be a reasonable ground to proceed upon, for tariffs are enacted for the express purpose of enabling American manufacturers to add the duty to the price, and if they did so, the President might very naturally say they were doing only what was intended by the law should be done.

So, I say, there is no practical standard. You can not make a standard by comparing foreign prices with prices in the United States, because by the passage of this joint resolution you will have expressly rejected that standard; and unless the President can find some other way to determine this question, unless he can determine with reasonable accuracy the cost of the production of the American article, or determine with reasonable accuracy whether the profits to be derived by the American bidder would be excessive and unreasonable, there is no way by which he can determine according to any reasonable and practical standard whether the prices fixed in these bids are reasonable or unreasonable or extortionate or otherwise.

I say, Mr. President, the language of this joint resolution reported by the Senator from Rhode Island is significant, although it has no practical value:

Unless the President shall, in any case, deem the bids or tenders therefor to be extortionate or unreasonable.

That is an admission, Mr. President, that the committee which reported this joint resolution recognized that some such provision was necessary in order to protect the Government from extortionate prices; that without some such provision the Government would be absolutely at the mercy of the protected American monopolists, who would extort from it whatever price they might deem proper to demand, and that the reserved right on the part of the Government to purchase abroad was the only protection which the Government could have against the extortion it feared.

It is an admission, Mr. President, that under our protective-tariff system there is no effective competition in the United States to regulate prices; that there is nothing in the world to restrain the protected manufacturer of the United States from holding the Government up at the muzzle of a tariff schedule and compelling it to stand and deliver, and that the only protection, the only escape, which the Government can have where such extortion is practiced is to purchase abroad. That is the protection which the Government has reserved to itself, or attempted to reserve to itself, in this resolution, but where is there any protection for the American consumer who himself is confronted with extortionate prices? What remedy has he?

Mr. President, the Senator from Rhode Island [Mr. ALDRICH] suggested a while ago that the citizen of the United States should have the same right that is given to the Government. I should like to give to every citizen of the United States the very same right that is offered to the Government in this resolution; that he shall not, in the purchase of his clothing, his farming utensils, his tools of trade, his household and kitchen furniture, be restricted to articles of domestic production and manufacture where he "deems the bids or tenders therefor to be extortionate or unreasonable." I would give him the very right which the committee seeks to give in this resolution to the Government, but which, in my opinion, is absolutely nugatory and will have no effect whatever.

Mr. President, we are engaged in a great enterprise, one that will be of incalculable benefit to the people of the United States and to all mankind, but which is likely to cost us very dear before we begin to realize upon the investment. I would, therefore, do everything in my power to limit the cost of this great enterprise, to diminish the burden upon the American people. Senators talk, Mr. President, about giving wages to American labor by buying articles in the United States—buying ships and material in the United States at a higher cost than they can be had elsewhere. Every dollar of extra cost that is paid in the construction of the Panama Canal must be paid for by the taxpayers and by the laborers of the United States. Every extra dollar which you add to the construction of that canal is a tax upon the labor and the sweat of the people of this country. So I say, Mr. President, I would do whatever I could to limit the cost of that great enterprise.

There will be extortion there; there will be graft there. Under the most honest government there is bound to be more or less of it; but, Mr. President, all the extortion that can possibly be practiced in the building of the canal by the charging of extortionate prices is a mere bagatelle to the extortion that is

practiced every day in every year upon all the people of the United States by the very same process.

I say it is no more unjust to take by extortionate prices the money of the taxpayer, after it has gone into the Treasury of the United States, than it is to take that money out of his own pocket.

Mr. President, I believe the time is coming, and that it will soon come, when the demand for the revision of our unjust tariff laws will be irresistible, and when the cry that the tariff shall be revised by its friends will be met by the counter demand that the taxpayer shall be taxed by his friends.

Mr. MALLORY. Mr. President, I send to the desk, and ask to have read, an amendment which I intend to propose to the joint resolution under consideration.

Mr. FORAKER. I understand the Senator only wants to offer an amendment.

Mr. MALLORY. I have a few remarks to make on the amendment which I have offered.

Mr. FORAKER. I want to move that the Senate proceed to the consideration of executive business, if it will not interfere with the Senator.

Mr. MALLORY. All right. I will have the amendment read and will then defer my remarks until some other time.

The VICE-PRESIDENT. The Secretary will read the proposed amendment of the Senator from Florida.

The SECRETARY. It is proposed to strike out all after the resolving clause, and to insert:

That the material, supplies, and machinery of all kinds for the construction of the Panama Canal shall be purchased at the cheapest price, conditions as to quality, prompt delivery, and responsibility of bidders being substantially the same: *Provided, however,* That in cases in which such material, supplies, or machinery are produced in the United States, and the conditions as to quality, prompt delivery, responsibility of bidders, and price are substantially the same as those respecting such articles as are offered by foreign bidders, the bids of citizens of the United States shall be given preference.

The VICE-PRESIDENT. The amendment will lie on the table and be printed.

MEMORIAL ADDRESSES ON THE LATE SENATOR BATE.

Mr. CARMACK. Mr. President, I give notice that on Saturday, June 16, I will ask the Senate to consider resolutions in commemoration of the life, character, and public services of my late colleague, Hon. WILLIAM B. BATE.

EXECUTIVE SESSION.

Mr. FORAKER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and fifty-five minutes spent in executive session, the doors were reopened, and (at 6 o'clock p. m.) the Senate adjourned until to-morrow, Saturday, June 2, 1906, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate June 1, 1906.

UNITED STATES MARSHAL.

Charles B. Witmer, of Pennsylvania, to be United States marshal for the middle district of Pennsylvania, in the place of Frederick C. Leonard, whose term expired December 11, 1905.

PROMOTION IN THE ARMY.

Infantry Arm.

First Lieut. Ethelbert L. D. Breckinridge, Tenth Infantry, to be captain from May 31, 1906, vice Oury, Twenty-fourth Infantry, detailed in the Signal Corps.

REGISTER OF LAND OFFICE.

J. Henry Smith, of Washington, to be register of the land office at Seattle, Wash., his term having expired May 8. (Reappointment.)

RECEIVERS OF PUBLIC MONIES.

Frank A. Twichell, of Seattle, Wash., to be receiver of public moneys at Seattle, Wash., vice Lyman B. Andrews, term expired.

Alexander J. Cook, of Washington, to be receiver of public moneys at Vancouver, Wash., his term having expired May 8. (Reappointment.)

Neil B. Morrison, of Duluth, Minn., to be receiver of public moneys at Duluth, Minn., vice Jay M. Smith, term expired.

POSTMASTERS.

CALIFORNIA.

William M. Tisdale to be postmaster at Redlands, in the county of San Bernardino and State of California, in place of William M. Tisdale. Incumbent's commission expires June 19, 1906.

Thomas M. Wright to be postmaster at Watsonville, in the county of Santa Cruz and State of California, in place of George G. Radcliff. Incumbent's commission expired March 21, 1906.

ILLINOIS.

Holly C. Clark to be postmaster at Mount Morris, in the county of Ogle and State of Illinois, in place of Holly C. Clark. Incumbent's commission expired May 27, 1906.

George W. Dicus to be postmaster at Rochelle, in the county of Ogle and State of Illinois, in place of George W. Dicus. Incumbent's commission expired May 27, 1906.

INDIANA.

William C. Gordon to be postmaster at Summitville, in the county of Madison and State of Indiana, in place of James M. Hundley. Incumbent's commission expired March 31, 1906.

Charles H. Kuester to be postmaster at North Judson, in the county of Starke and State of Indiana, in place of Charles H. Kuester. Incumbent's commission expires June 27, 1906.

KANSAS.

William C. Markham to be postmaster at Baldwin, in the county of Douglas and State of Kansas, in place of William C. Markham. Incumbent's commission expired January 16, 1906.

MASSACHUSETTS.

Frank H. Fales to be postmaster at South Framingham, in the county of Middlesex and State of Massachusetts, in place of Frank H. Fales. Incumbent's commission expires June 24, 1906.

MICHIGAN.

William H. Arthur to be postmaster at Marshall, in the county of Calhoun and State of Michigan, in place of William H. Arthur. Incumbent's commission expires June 24, 1906.

MISSISSIPPI.

Annette Simpson to be postmaster at Pass Christian, in the county of Harrison and State of Mississippi, in place of Annette Simpson. Incumbent's commission expired April 2, 1906.

MISSOURI.

Albert C. Krog to be postmaster at Washington, in the county of Franklin and State of Missouri, in place of Albert C. Krog. Incumbent's commission expired May 19, 1906.

NEW JERSEY.

William O. Armbruster to be postmaster at Weehawken, in the county of Hudson and State of New Jersey, in place of William O. Armbruster. Incumbent's commission expired May 28, 1906.

Charles Eichhorn to be postmaster at West Hoboken, in the county of Hudson and State of New Jersey, in place of Charles Eichhorn. Incumbent's commission expired May 28, 1906.

Edward W. Martin to be postmaster at Hoboken, in the county of Hudson and State of New Jersey, in place of Edward W. Martin. Incumbent's commission expired May 28, 1906.

NORTH CAROLINA.

Alexander L. McCaskill to be postmaster at Fayetteville, in the county of Cumberland and State of North Carolina, in place of Alexander L. McCaskill. Incumbent's commission expired March 20, 1904.

NORTH DAKOTA.

Henry W. Ellingson to be postmaster at Rugby, in the county of Pierce and State of North Dakota, in place of Herbert C. Hurd. Incumbent's commission expired April 24, 1906.

OHIO.

William H. Cullen to be postmaster at Paulding, in the county of Paulding and State of Ohio, in place of William H. Cullen. Incumbent's commission expired April 18, 1906.

PENNSYLVANIA.

Samuel J. Matthews to be postmaster at Olyphant, in the county of Lackawanna and State of Pennsylvania, in place of Samuel J. Matthews. Incumbent's commission expires June 30, 1906.

SOUTH CAROLINA.

Charles E. Carman to be postmaster at Aiken, in the county of Aiken and State of South Carolina, in place of Charles E. Carman. Incumbent's commission expired May 27, 1906.

TENNESSEE.

M. Haworth to be postmaster at Maryville, in the county of Blount and State of Tennessee, in place of John L. Goddard. Incumbent's commission expired May 23, 1906.

TEXAS.

Hiram T. Andrews to be postmaster at Wolfe City, in the county of Hunt and State of Texas, in place of Hiram T. Andrews. Incumbent's commission expired April 30, 1906.

John T. Cunningham to be postmaster at Graham, in the county of Young and State of Texas, in place of John T. Cunningham. Incumbent's commission expired April 18, 1906.

John T. Dawes to be postmaster at Crockett, in the county of

Houston and State of Texas, in place of John T. Dawes. Incumbent's commission expired April 30, 1906.

Harry E. Downs to be postmaster at Batson, in the county of Hardin and State of Texas. Office became Presidential July 1, 1905.

M. J. Lee to be postmaster at Kirbyville, in the county of Jasper and State of Texas. Office became Presidential April 1, 1906.

VIRGINIA.

Floyd L. Harless to be postmaster at Christiansburg, in the county of Montgomery and State of Virginia, in place of Allen I. Harless. Incumbent's commission expires June 24, 1906.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 1, 1906.

UNITED STATES ATTORNEY.

Potter Charles Sullivan, of Washington, to be United States attorney for the western district of Washington.

REGISTERS OF LAND OFFICE.

James M. Burlingame, of Montana, to be register of the land office at Great Falls, Mont.

Elmer E. Esselstyn, of Red Lodge, Mont., to be register of the land office at Billings, Mont.

Frank D. Miracle, of Montana, to be register of the land office at Helena, Mont.

Clarence E. McKoin, of Gilt Edge, Mont., to be register of the land office at Lewistown, Mont.

RECEIVERS OF PUBLIC MONEYS.

George O. Freeman, of Montana, to be receiver of public moneys at Helena, Mont., to take effect June 30, 1906.

Chauncey C. Bever, of Billings, Mont., to be receiver of public moneys at Billings, Mont.

Wylls A. Hedges, of Yale, Mont., to be receiver of public moneys at Lewistown, Mont.

APPOINTMENT IN THE ARMY.

Rev. Washington William E. Gladden, of Colorado, to be chaplain with the rank of first lieutenant from May 21, 1906.

PROMOTIONS IN THE ARMY.

Medical Department.

Capt. John S. Kulp, assistant surgeon, to be surgeon with the rank of major from May 26, 1906.

Infantry Arm.

Capt. Edwin A. Root, Tenth Infantry, to be major from May 25, 1906.

First Lieut. John L. De Witt, Twenty-first Infantry, to be captain from May 25, 1906.

First Lieut. Charles E. Morton, Sixteenth Infantry, to be captain from May 25, 1906.

POSTMASTERS.

ALABAMA.

Joseph P. Dimmick to be postmaster at Montgomery, in the county of Montgomery and State of Alabama.

MICHIGAN.

Chauncey J. Halbert to be postmaster at Sturgis, in the county of St. Joseph and State of Michigan.

Andrew Sutherland, second, to be postmaster at Oxford, in the county of Oakland and State of Michigan.

MISSISSIPPI.

Louis J. Piernas to be postmaster at Bay St. Louis, in the county of Hancock and State of Mississippi.

NEW JERSEY.

John J. McGarry to be postmaster at Edgewater, in the county of Bergen and State of New Jersey.

NORTH CAROLINA.

Branson R. Beeson to be postmaster at Kernersville, in the county of Forsyth and State of North Carolina.

OHIO.

Frank H. Farr to be postmaster at Waynesville, in the county of Warren and State of Ohio.

WISCONSIN.

Christian N. Johnson to be postmaster at Merrill, in the county of Lincoln and State of Wisconsin.

Levi L. Odell to be postmaster at Galesville, in the county of Trempealeau and State of Wisconsin.

James H. Spencer to be postmaster at Necedah, in the county of Juneau and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

FRIDAY, June 1, 1906.

The House met at 12 o'clock m.

The Chaplain, Rev. HENRY N. COUDEN, offered the following prayer:

We meet, O God, our Heavenly Father, under the shadow and gloom of death. Our hearts are profoundly moved with grief and sorrow. One who has gone in and out among us for years, and held a conspicuous place on the floor of this House, zealous in all that pertained to his duties, and sensitive as to his character, has rendered a good service to his people, to his State, and to the nation, and we mourn his loss. Comfort, we beseech Thee, his kindred, friends, and colleagues, and help us to copy all that was pure and noble in his life. And finally fit us all for the ordeal which awaits Thy children, that we may be ready when the summons comes to mount to a larger life and dwell with Thee and the angels on high. In the name of Christ our Lord. Amen.

The Journal of yesterday's proceedings was read.

Mr. PAYNE. Mr. Speaker, I move the Journal be approved.

The question was taken; and the motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 5769. An act denying the right of immunity of witnesses under the act entitled "An act in relation to testimony before the Interstate Commerce Commission," and so forth, approved February 11, 1903, and an act entitled "An act to establish the Department of Commerce and Labor," approved February 14, 1903, and an act entitled "An act to further regulate commerce with foreign nations and among the States," approved February 19, 1903, and an act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes," approved February 25, 1903.

The message also announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 19432. An act to authorize additional aids to navigation in the Light-House Establishment; and

H. R. 18030. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1907, and for other purposes.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 16953) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1907, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PENROSE, Mr. DOLLIVER, and Mr. CLAY as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14397) making appropriations for the support of the Army for the fiscal year ending June 30, 1907.

ENROLLED BILLS PRESENTED TO THE PRESIDENT ON MAY 31, 1906, FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 9375. An act granting an increase of pension to Charles H. McKenney;

H. R. 9529. An act granting an increase of pension to William Gibson;

H. R. 9812. An act granting an increase of pension to Joseph B. Newbury;

H. R. 9923. An act granting an increase of pension to Joseph J. Mishler;

H. R. 10008. An act granting an increase of pension to James W. Dorman;

H. R. 10029. An act granting an increase of pension to Abram Higbie;

H. R. 10246. An act granting an increase of pension to John Harrison;

H. R. 10257. An act granting an increase of pension to Samuel Deems;

H. R. 10318. An act granting an increase of pension to James F. Hollett;

H. R. 10319. An act granting an increase of pension to Harvey Deal;